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1884

THE

NORTH AMERICAN REVIEW.

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1884

EDITED BY ALLEN THORNDIKE RICE.

VOL. CXXXVIII.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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THE

NORTH AMERICAN REVIEW.

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JANUARY, 1884.

No. 326.

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NEW YORK:
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1883.

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NORTH AMERICAN REVIEW.

No. CCCXXVI.

JANUARY, 1884.

ECCLESIASTICAL CONTROL IN UTAH.

PRESIDENT TAYLOR.

A REPORT has been spread far and wide through the country that in Utah there exists "a combination to nullify the laws of Congress," to defeat the plain will of that body and of the Executive, and also to thwart the adjudication of the Supreme Court of the United States. This is an error. The simple fact is that the citizens of Utah are contending in a peaceable and legal manner for the same rights, privileges, and immunities that are possessed by their fellow-citizens—for these only, and no more.

Some time after the Edmunds bill became law, the commissioners appointed by the President under its provisions came to this Territory and entered upon the discharge of their duties. With regard to the nature and scope of those duties, the commissioners (gentlemen for whom we have much respect) and the vast majority of the people of Utah hold opposite views. One of their first acts was to frame a test oath, which they required every man to take before he would be permitted to vote. By this *coup d'état* every citizen in Utah—Jew, Gentile, and Mormon—was disfranchised without indictment and without trial: a most summary method of robbing a people of their rights, one that we claim is entirely opposed to both the letter and the spirit of that great charter of human rights, the Constitution of the

United States—an instrument for which, be it said, we have the most profound reverence, believing, as we do, that those who framed it were inspired of the Almighty.

This unconstitutional exaction, which "at one fell swoop" for the time being disfranchised a whole Territory, amounted to this, that a man must swear that he had never simultaneously lived with more than one woman "in the marriage relation." Those who cohabited with more than one woman in adultery or prostitution were not affected by its provisions. The *roué*, the libertine, the strumpet, the brothel-keeper, the adulterer and adulteress could all vote; no matter how licentious a man or woman might be, all were screened and protected by this law. It was not enacted, as has been supposed, to punish licentiousness and debauchery, but was aimed expressly against those who were associated with more than one woman "in the marriage relation." All, indeed, had their franchise protected except the man who had now, or ever had had, more than one wife, or the woman who had ever been the wife of a polygamist, be she the first, second, or other wife. For the commissioners were such broad constructionists that they declared that no man or woman who ever had been a member of a family practicing plural marriage should be permitted to vote. This action was *ex post facto* in the extreme. It punished men and women without trial, by robbing them of the franchise for doing acts which, at the time when they were done, were not unlawful.

It was, at the same time, a bill of attainder. The first anti-polygamy law of Congress was passed in 1862, and all those who had, previous to that time, from deep religious conviction, received and entered into that order of marriage, but had never broken a law of the United States by so doing, for the simple reason that there was no such law, were, by the commissioners' rulings, equally debarred from voting with those who had married in plurality subsequent to that date. We claim that this ruling is eminently unjust, altogether unprecedented, and in violation of the Constitution. But at the same time, in justice to the commissioners, it must not be forgotten that they had a very difficult and delicate task to perform, so much was expected by the country from them, as the executors of the Edmunds law, the passage of which had been procured by the influence of religious fanatics and political demagogues. They found things, on their arrival, so different from what they had anticipated,

that it was impossible for them to meet the exorbitant demands of the country and at the same time comply with the requirements of the law. As one of their number expresses it in his communication to Secretary Teller, they "stretched the legal tether to its utmost tension." Yet, on the other hand, as honorable men and representatives of the Government, it was incumbent on them to comply with the plain provisions of the law.

What, then, did the polygamists—men and their wives—do under these circumstances? They voluntarily withdrew, and left the franchise in the hands of those who were unmarried or, if married, had only one wife. Governor Murray has said in his report that we were nullifiers. Was this nullification? What could we do more? The people quietly, peaceably, and unitedly, without exception, bowed to the fiat of the commission. In what stronger manner could they show their loyalty, their respect for Congress, and their deference to the law, than by this course? Not only were they not nullifiers, but they would not act the part of obstructionists; they actually aided the commission to execute the law, even in the extreme construction that body put upon its language. And by reason of this action on their part the elections that have taken place under the rule of the commission have been conducted without hinderance, obstruction, confusion, or annoyance.

The remarkable interpolation in the commissioners' test oath of the words "in the marriage relation," which do not appear in the law, has led to many curious incidents, some of which would be ludicrous if they were not so humiliating. Here is a case in point: A former mayor of Salt Lake City, Mr. Feramorz Little, a very honorable gentleman and highly respected, came to this Territory many years ago, before there was any law of Congress against plural marriage, and espoused two wives. Subsequently, one of these wives died, then the other, and at the time that this incident occurred he had been for years without a wife. He had a son who was appointed registrar for a certain district in this city, and this son had the mortification of being compelled, under the ruling of the commission, to refuse his father permission to register, and consequently deprived him of the right to vote—a privilege which he had a perfect right to exercise, both because of the provision in the Constitution that no *ex post facto* law shall be made, and again by reason of the statute of limitations, which

bars all action in any such cases after the expiration of three years. Soon after the refusal of the registrar to place his father's name on the registration list, a well-known keeper of a bagnio and her associates presented themselves, and the son had the humiliation of having to permit them to register. These courtesans afterward voted. Another case: A man came to the place of registration, and remarked to the officer that he supposed he could not register, as he had a wife and also kept a mistress. This man might be considered a very straightforward fellow to make so ready an acknowledgment, but I fail to see anything straightforward in such a crooked transaction as the breaking of the marriage vows and in marital infidelity. But the officer knew what was in the oath better than did this man, and advised him to read it. He did so. When he came to the words, "in the marriage relation," he immediately said, "Yes, I see. I can go that," and was at once sworn and registered.

So it will be perceived that under the official construction of the law the most depraved, the vilest of mankind, can vote, can use the franchise and enjoy the benefits resulting therefrom, and that this portion of the United States is actually threatened with being governed by such an element. And though we quietly submit for the time being, and though some ten or twelve thousand persons have absented themselves from the polls because of the law, yet we are charged with being a menace to the United States, with being inimical to the Constitution and Government, simply because we have undertaken to legitimately and legally test in the courts, as we have the most perfect right to do, the legality and constitutionality of the law and the commissioners' rulings. Could we pursue any wiser course? Should we be worthy of the name of men, much less of freemen, if we permitted these grave encroachments on our rights without one effort in their defense? We shall not follow the course of the Fenians or the Nihilists, or Ku Klux or Regulators, or Communists or Molly Maguires, or other such combinations, nor appeal to dynamite or gunpowder; but, having a high regard for the institutions of our country, we prefer to adopt the means which the law has provided, and legally, constitutionally, and peaceably seek redress for our wrongs. We do this in behalf of our own rights, in behalf of the rights of our children, and in behalf of millions of honorable men in the United States, and of the principles of freedom throughout the

world. For if radicalism, imperialism, oligarchy, and despotism are to bear rule, and the rights of franchise to be refused to citizens by the dictum of commissioners, without a hearing, without proof, and without trial; if test oaths are to take the place of courts and legal testimony, and one principle of liberty after another nullified; if our Constitution, our laws, and the fundamental principles of our Government are to be trampled under foot, it would seem to be high time that all honorable men should stand up in defense of liberty and the rights of man. It is vain to talk of the freedom of the negro while the white man is sought to be disfranchised, manacled, and enslaved. If the course we propose is a menace to good government, what in the name of common sense would those who are offended with our course have us do?

Here let me remark that there is a great deal of misapprehension existing in the minds of the people with regard to our marriage institution. None but the very best of our community —the virtuous, the honest, and upright—are permitted to take more than one wife. They must be recommended as worthy by their bishop, and by the president of the stake in which they reside. We are, of all people, the most strict in our ideas with regard to morality and virtue. If a man who is a member of our church commit adultery, fornication, or bigamy, he is at once cut off from the communion of the saints, and all fellowship in the church is withdrawn from him; for we regard those sins as among the most abominable of evils, the most heinous next to the shedding of innocent blood. There is not to-day a more virtuous community in the world, or one where female chastity is more highly regarded or more vigorously protected.

There is another point that is misunderstood by the people generally; it is with regard to the illegality of plural marriage. Many persons suppose that there is some provision in the United States Constitution touching this subject. This is an error. The Constitution leaves all matters relating to marriage to be regulated by the people of the various States; and hence it is that so many diversified marriage and divorce codes exist throughout the country. Congress claims the power to regulate these matters in the Territories. We do not admit that this right belongs to the General Government, but claim that in matters of local concern the Territorial Legislative Assemblies are manifestly the proper parties to act in the premises. It is

provided in the organic act of Utah "That the Legislative power of said Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act." It is evident, according to the spirit and genius of American institutions, that Congress should not interfere with matters in the Territories that in States are left to the States; nor should Congress pass laws for a Territory that a State Legislature cannot pass for its State. But of late Congress has frequently overstepped these bounds, and to that extent are the liberties of American citizens in the Territories imperiled and abridged. Congress, without making grave mistakes, cannot legislate on local subjects for the whole country. As an instance, take the Timber act, which may be a very valuable enactment for Maine or Michigan, but is entirely inconsistent with the conditions of the Rocky Mountain region; there it degenerates into a farce and an annoyance. It has been argued in Congress that the British nation considered that it had authority to regulate social affairs in its foreign possessions, and that in the exercise of this right it put an end to the practice of the suttee; and that because the British did this, therefore it was proper for Congress to do away with the practice of polygamy. Do those who argue thus ever reflect that while the suttee brought about the destruction of life, polygamy means the propagation and the perpetuation of the human species? and furthermore, did it never occur to them that while Great Britain suppressed the suttee, it has not only tolerated but legislated to protect in their institutions upward of 240,000,000 of its polygamic subjects in India?

Much has been said of late about the militia of Utah, and of calling upon the military to assist in the execution of the processes of the courts. The fact is that we now have no militia. In accordance with the provisions of the United States Constitution, which says, "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed," the Territorial Legislature, during one of its earliest sessions, passed an excellent militia law. This body was a bulwark of defense against Indian raids; in fact, so highly was it valued that it has been called out by the General Government to suppress Indian hostilities, whilst the regular troops lay idly by at Fort Douglas. Such service was rendered in one raid to the value of more than one million

dollars, but the militia received no pay. But one rash and inconsistent governor, Shaeffer, unconstitutionally abolished the whole array; and it was even forbidden to have a troop of horsemen or a company of infantry take part in the celebration of the Fourth of July, under pain of the procession celebrating the birthday of liberty being fired upon by the troops brought down from Camp Douglas for the purpose.

Complaint is made that in Utah an "unlawful Territorial government, which for over thirty years has existed in the face of Congress and the country, exists to-day." This is unequivocally false. The government of the Territory is established upon laws sanctioned by the United States Congress, and at all times subject to repeal by the National Legislature. Reference probably is intended to the nomination, by Governor Murray, of the members of the Board of Regents of the University of Deseret, whom he assumed to appoint under a clause in the organic act that provided, in the first place, for the Governor to appoint certain officers and the Legislative Assembly to confirm them. But subsequently the Territory enacted statutes for the election of these officers,—some by the votes of the people, and some by the joint vote of the two houses of the Legislative Assembly,—which laws having been approved by the various governors, and never having been disapproved by Congress, are in force to-day, as truly as the rest of the laws of the Territory, for they all stand on the same footing. So, instead of there being an unlawful Territorial government, it is strictly lawful; whilst the Governor assumes the right to annul our statutes, and override and trample under foot all of our laws which do not suit his convenience or his purposes—though some of these enactments have been in force almost as long as Utah has been a Territory. Again, under his strained construction of the "Hoar Amendment" to the Congressional Appropriation Bill, he went to work to dispossess scores of officers of their official positions by nominating others. The law provides that the officers in question shall be elected by the vote of the people, and that they shall hold office until their successors are elected and qualified. The commissioners allowed the election to lapse, so the incumbents held over under the law; but the Governor disregarded the provision entirely, and appointed a full set of officers. The Governor, under the "Hoar Amendment," had certainly the right to fill the vacancies caused by failure to

elect; but there were no vacancies in those cases where the law directly and unequivocally provided that the officers should hold their respective offices until their successors were "elected and qualified." The cases wherein there existed a vacancy under the law were few; but, in spite of the provisions to the contrary, the Governor claimed that every office subject to election was vacant, and that in every instance he could appoint a successor. Thus did he, by reason of the negligence of the commission in not providing for the election of 1882, seek to deprive the people of the rights of franchise, and place the whole community under creatures of his appointment, in direct contravention of the "hold over" clause of the law regulating the same.

It is sometimes ignorantly or maliciously asserted that Mormonism is not a religion. What presumption for one set of men to declare that the faith and religious tenets of others are not a religion! Farewell to religious liberty when this is admitted. Soon the dominant sects in the land would secure religious uniformity by declaring all other bodies of worshipers non-religionists. When one man is permitted to decide what another's religion shall be, and to set metes and bounds beyond which he may not travel, then religious liberty is simply a misleading name, a delusion and a snare.

If the following oft-published tenets of the Church of Jesus Christ of Latter-day Saints—which are among the leading articles of the Mormon faith—do not constitute it a religion, and moreover a Christian religion, what does constitute religion in the eyes of those who assert to the contrary? We should be pleased to peruse their reply:

"We believe in God the Eternal Father, and in his Son Jesus Christ, and in the Holy Ghost.

"We believe that men will be punished for their own sins, and not for Adam's transgression.

"We believe that, through the atonement of Christ, all mankind may be saved by obedience to the laws and ordinances of the Gospel.

"We believe that these ordinances are: First, Faith in the Lord Jesus Christ; Second, Repentance; Third, Baptism by immersion for the remission of sins; Fourth, Laying on of hands for the gift of the Holy Ghost.

"We believe that a man must be called of God, by prophecy, and by laying on of hands, by those who are in authority, to preach the Gospel and administer in the ordinances thereof.

"We believe in the same organization that existed in the primitive church, viz.: Apostles, Prophets, Pastors, Teachers, Evangelists, etc.

"We believe in the gifts of tongues, prophecy, revelation, visions, healing, interpretation of tongues, etc.

"We believe the Bible to be the word of God, as far as it is translated correctly; we also believe the Book of Mormon to be the Word of God.

"We believe all that God has revealed, all that he does now reveal, and we believe that He will yet reveal many great and important things pertaining to the Kingdom of God.

"We believe in the literal gathering of Israel, and in the restoration of the Ten Tribes; that Zion will be built upon this continent; that Christ will reign personally upon the earth, and that the earth will be renewed and receive its paradisiac glory.

"We claim the privilege of worshiping Almighty God according to the dictates of our conscience, and allow all men the same privilege, let them worship how, where, or what they may.

"We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring and sustaining the law.

"We believe in being honest, true, chaste, benevolent, virtuous, and in doing good to all men; indeed, we may say that we follow the admonition of Paul. We believe all things, we hope all things, we have endured many things, and hope to be able to endure all things. If there is anything virtuous, lovely, or of good report, or praiseworthy, we seek after these things."

The whole history of the Mormons has shown that they are a religious people. Their early persecutions they endured on account of their peculiar religious views and practices. They came to Utah not, as alleged, to erect an establishment of religion contrary to the Constitution and laws, but to found a State where all sects would have equal rights to worship God according to the dictates of the consciences of their members, which right the Latter-day Saints had been denied in Missouri and Illinois. When they came here, Utah formed a part of Mexico. Five hundred of their co-religionists were then enlisted in the service of the United States, as the "Mormon Battalion," fighting the sister republic. One of the first things done by the Mormon people after their arrival in what is now Utah, was to raise the stars and stripes and establish American institutions and laws as quickly as their isolated position—more than a thousand miles from the western frontier—would permit; they next applied to Congress for a State Government. Ever since that time they have endeavored to attend peaceably to their own affairs, and keep the laws of the land,—as required in the revelations given through the prophet Joseph Smith—notwithstanding the repeated and almost unceasing efforts of political demagogues and sectarian zealots to stir up hatred, malice, confusion and disorder. It is alleged by His Excellency Governor

Murray that on a former occasion we were in a state of rebellion. The charges, made by certain Federal officials, of rebellion and disloyalty, and of burning the United States Court records and the books in the Territorial Library, which led to the sending of the army under General Johnston to Utah in 1857, were officially reported to be false by Governor Cumming on his arrival. He reported:

"Since my arrival I have been employed in examining the records of the Supreme and District Courts, which I am now prepared to report as being perfect and unimpaired. This will doubtless be acceptable information to those who have entertained an impression to the contrary.

I have also examined the Legislative Records and other books belonging to the office of Secretary of State, which are in perfect preservation. . .

"The condition of the large and valuable Territorial Library has also commanded my attention; and I am pleased in being able to report that Mr. W. C. Staines, the librarian, has kept the books and records in most excellent condition. I will, at an early day, transmit a catalogue of this library, and schedules of the other public property, with certified copies of the records of the Supreme and District Courts, exhibiting the character and amount of the public business last transacted in them."

Thus it appears that the allegations made by Judge Drummond and others were untrue, and that the army was sent out under false representations. In like manner we are able to demonstrate that other charges of supposed weight and moment urged against the people of Utah are equally false and unsubstantial. The most terrible accusation of any particular crime ever brought against the leaders of the Church and the Church generally, is participation in the Mountain Meadow massacre. Some have supposed that the Mormon people never fairly and squarely met this charge, but prevaricated or evaded it. There could not be a greater mistake. The Latter-day Saints abhor murder in every form, and the Church or its leaders had nothing to do with that terrible tragedy in any manner whatever. We wish this denial to be as emphatic as possible. And, furthermore, the leader of the few whites who were engaged with the Indians in that horrible affair never would have been brought to justice but for the assistance rendered the United States officers by President Brigham Young and other leaders of the Church; while the jury that convicted him was largely composed of men of our faith. No denial can be worded too strongly to express our detestation of the shedding of innocent blood; and we hold, further, that all culprits worthy of death — and we

believe some crimes can only be atoned for by the life of the guilty party — should be executed by the proper civil officer, not by any exercise of the *lex talionis* or the intervention of ecclesiastical authority. With regard to the Mountain Meadow massacre, the testimony of United States Prosecuting Attorney Sumner Howard — himself no friend to the Mormon people — is valuable. At the trial of John D. Lee for participancy in that crime, Mr. Howard said:

"He had been engaged constantly during the past three months in sifting facts and everything related to or connected with the massacre, and that he had come there for the purpose of trying John D. Lee, because the evidence pointed to him as the main instigator and leader, and he had given the jury unanswerable documentary evidence proving that the authorities of the Mormon Church knew nothing of the butchery till after it was committed; and that Lee, in his letter to Brigham Young, a few weeks after, had knowingly misrepresented the actual facts relative to the massacre, seeking to keep him still in the dark and in ignorance. He had all the assistance any United States official could ask on earth in any case; nothing had been kept back, and he was determined to clear the calendar; but he did not intend to prosecute any one lured to the Meadows at the time, some of whom were only boys, and knew nothing of the vile plan which Lee originated and carried out for the destruction of the emigrants."

It is commonly believed that "an ecclesiastical government exists in Utah to-day, intended to meet all requirements as to the temporal affairs of men in this Territory." This is another fallacy. Our Church courts are simply courts of reconciliation or arbitration between Church members, and for determining charges of transgression, and in no way affect the civil powers or the duties and rights of the various courts of law, Federal or local. That this is so is proven by the fact that there is not a member of the Church who is not just as amenable to the laws of the State as any non-Mormon. The decisions of the Church courts carry no penalties of a civil character; all they can do is to withdraw the fellowship of the Church from wrong-doers. These courts consist of presidents of stakes, high councils, bishops, etc. The bishop and his counselors exercise an ecclesiastical jurisdiction to settle difficulties arising between Church members. If parties are not satisfied with their decisions, they can appeal to what is known as the High Council, a body composed of the president of a stake and his counselors, and twelve other high priests, which body forms an ecclesiastical court to hear testimony and decide on matters brought before them. In

this way nine-tenths of the difficulties arising between Church members are settled without going to law, and without any expense whatever.

Complaint is made that the Church of Latter-day Saints holds property of a value in excess of $50,000 in Utah. Has it become a crime, then, to be punished by spoliation and confiscation, to erect beautiful buildings for religious and charitable purposes? It is true we are erecting one beautiful structure on a piece of ground held by the Church before the prohibitory act was passed, which has already cost probably $2,500,000; but it would be going back to barbarism indeed to forbid by Act of Congress the erection of all but the most primitive structures in which to worship God or perform acts of charity. And, again, the Latter-day Saints are not the only religious body that owns more than the prescribed $50,000 in the Territories; others would be affected equally with us if this ill-considered law was enforced in the manner desired.

It is customary for persons in talking about the marriage relations of the Latter-day Saints to confound bigamy with plural marriage — commonly miscalled polygamy. There is in bigamy the essence of fraud which makes it the grievous crime that it is. A man contracts to marry a woman, until death does them part, and keep himself for her and her only. In violation of this covenant he unlawfully marries another, breaking his vows with the first, leading astray and ruining the second, and deceiving the minister or officer who performs the ceremony. In plural marriage there is no fraud, no deception, no breaking of the marriage contract. The parties who marry according to the rites of the Church of Jesus Christ of Latter-day Saints are united for time and eternity. They know that plural marriage is a doctrine of the Church, and accept the obligations of married life with that understanding. When a man thus circumstanced takes a second wife he breaks no vows, he deceives no one. All parties interested in the arrangement are acquainted with the facts, and both first and second wives understand the position they occupy toward their husband: that they are both his wives and he their husband, with hopes and affections reaching out into the next world, where they anticipate that their union will be eternal.

In plural marriage a man is expected to provide for all his wives and their children. We have no waifs and strays such as

are found in the large cities of Christendom — the results of men breaking the laws of social purity. The children of our families do not gravitate to the poor-house, for we have no such establishments in the Territory; and our poor are cared for by the bishops and by the members of our ladies' relief societies.

We do not wish to complain, otherwise we might refer to some acts that have been to us very offensive. Houses of assignation, bagnios, gambling houses, drinking saloons, and other disreputable establishments are not our institutions, but are importations. The efforts of the municipal authorities to suppress them have been defeated by the rulings of the Federal courts. With all deference to His Excellency Governor Murray, we think that his act in giving the certificate of election to Allen G. Campbell, Esq., who only obtained 1357 votes for Delegate to the Forty-seventh Congress, as against Hon. George Q. Cannon, who received 18,568 votes for said office, does not tend to inspire the greatest confidence in his official capacity.

The Mormon question to-day really resolves itself into the query whether a small and unscrupulous minority, for private ends and personal aggrandisement, shall prevail upon the Government of this nation to destroy every vestige of republican liberty in Utah, or whether the grand and glorious principles upon which this great government is founded shall be extended to all people alike who dwell under the flag which is regarded throughout the world as the symbol of freedom and equal rights.

JOHN TAYLOR.

GOVERNOR MURRAY.

THAT the country has resolved to get at the bottom facts in Utah affairs, and to reform the social and political status of that Territory, is a fact patent to every observer of the currents of popular opinion and popular sentiment. But what is the remedy for the abuses which exist in Utah? Always slow to act, except in great emergencies, the people and Congress have long deferred taking decisive action. The reasons for this are at once apparent when we remember the conditions of the country during the past twenty-five years, with graver questions ever pressing for a settlement; the remoteness of the Territory with its great crime; and the not unsuccessful efforts of the Mormon leaders

to keep the country in ignorance of their designs and actions through the machinations of adroit and unscrupulous agents throughout the country, in Salt Lake City, and at Washington.

If it be true that crime prevails and criminals control in Utah; that from the very beginning "the legislation of Utah has been inimical to and subversive of the Federal authority within the Territory"; that an unlawful government has existed there for thirty years; that taxes are levied upon the minority to build schools upon church property into which the children of that minority do not and should not enter; and that laws of Congress are nullified: if it be true, that by territorial statute the whole system of immigration has been given over to the Church; that thousands of "assisted" immigrants have been and are now gathered from abroad; that escheats and confiscations for this immigration fund have been provided for by the territorial legislatures; that fanaticism imposes upon ignorance, and that avarice feeds upon industry under authority of this legislation; that laws have been enacted "respecting an establishment of religion" in violation of the Federal Constitution: if it be true, that Congress and civilization have denounced the "plural wife" system as bigamy; that the appeals of virtue, and the hopes of helpless children born and yet to be born are unheeded, and the unholy system defiantly upheld, defended and practiced in Utah; that a territorial law establishes a new process of naturalization by conferring the right of suffrage upon alien women, when they become wives, without the qualification of time as required by national law; that this system has spread into other Territories the property of the United States, and is occupying the public lands: if these propositions be true, and if these evils exist by the act of legislatures created by authority of Congress and paid out of the Treasury of the United States, then the time is fully come when so vicious a system should be destroyed and such agency of government abolished. These and other facts have been presented to the country during many years by the bench and bar, and by forty thousand American citizens of all creeds and parties in that inter-mountain region.

If they are not true, Congress should repeal much of its past legislation, certainly all that recognizes as true any of the counts charged; should serve notice on the American citizens there that their testimony is regarded as false, that they are "outsiders" in their own land; and should summarily dismiss all

representatives of the Government who bear this false witness and censure all officers, both civil and military, who in the past have made like reports. This, it seems to me, would be fair to all alike, and is certainly demanded by the family and business interests of all in Utah. With such action, however, on the part of the Government, the constantly avowed wish and dream of the polygamous leaders would be realized, and a marked advance made in their design "to supplant this, and all other governments." It is fair to presume that fifty millions of "outsiders" in this country would regard such action as absurd.

A writer whose honesty of purpose I respect has said: "Trying to uproot Mormonism by force, or by the enactment of any penal or prohibitory laws whatsoever, will prove in the future, as it has all along in the past, simply abortive." It must be remembered by the theorists, and understood by the country, that there has been no remedial legislation ever passed by Congress. The "Edmunds bill" contained much that was effective, but does not provide the remedy. It was evidently intended by the Senator from Vermont to prepare a way for the "Mormons" to correct the existing evils themselves through a monogamous legislature returned under its provisions. The legislatures heretofore have been polygamist by a large majority. The existing one is monogamous, and unanimously "Mormon." Giving credit for sincerity of profession, it follows that Mormon polygamists are to be preferred in honor and respect before the Mormon monogamist: the polygamist "lives his religion," the monogamist does not. I fail to see that the monogamist who upholds, defends, and supports an institution that outrages both virtue and the law is better, or as good, as the man who, professing a belief, is consistent enough to practice it. Mormon monogamists pinion womanhood, while polygamists debauch it. Neither will or can provide the remedy. The remedy must come from Congress, which alone can provide it. But, congressional legislation falling short of the remedy, has, as suggested by the writer quoted, proved abortive, only making the adherents to Mormonism more united.

In dealing with the question of government in Utah I speak of "Mormonism" only so far as it aims to establish religion by means of political power vested in its adherents, and to perpetuate an illegal and unrepublican government; so far as it inculcates crime, and engages in conspiracy to nullify the laws

of Congress. The Mormons known as the "Reorganized Church" are entitled to the respect of all, and that Church recognizes and receives in common with all others every protection under the constitutional guarantee. But polygamous Mormonism, which has overridden the Constitution, nullified Federal legislation, and defied the Government, has made of Utah a deformed child. The surgeon who takes in hand the case of a deformed child who may be cured, must not be deterred from performing the necessary operation because of the protests and cries of the patient. To allow it to grow into manhood, helpless and a burden to its kindred, would be criminal. In this case Congress is the surgeon, and must perform the operation. As it is the duty of a parent to educate and care for and, if necessary, punish a child, in properly preparing it for the responsibilities of later years, so it is the duty of this country to care for the Territory in order to properly prepare it for the responsibilities of Statehood. No unworthy or debauched community should, or will, be advanced into Statehood, and no political party will dare commit so great a crime.

Utah Mormonism, with legislative power in its grasp, is a monster of no inconsiderable proportions, and means mischief. It occupies a vast region besides Utah, abounding in attractions and fruitful in resources. The purpose of the Mormon leaders announced to, and understood by, their people is presented in very different guise by their agents in Washington. The past shows them to be the most adroit and successful lobbyists our national capital has ever known. Besides, they readily spend thousands of dollars to mislead the country and to prolong their power from Congress to Congress. As scheming traders, who handle the vast revenues of their corporation from year to year, they put off the day of settlement at the expense of their creditor — the country. The day of settlement must come. The present condition of affairs cannot continue. The quicker the settlement comes, the better for the Mormons and for the country. Either the Government must repeal its laws or the Mormons must obey them. Shall the settlement be effected peaceably or in strife? I do not now, and never have, suggested the necessity of military force. My purpose is, in mercy, to avert such a necessity, and to shield the Mormon people from such a calamity. I believe that with proper legislation a settlement can be effected peaceably. I believe that it will be effected in strife

if that legislation is much longer withheld. In 1850, Congress gave to Utah a form of government the counterpart of that given to other Territories. But it was competent for Congress to order the government of Utah on a totally different plan had it chosen to do so. The power of Congress in the premises was then, as it is now, complete, and the exercise of such power dates from before the writing of the Constitution. Brigham Young was made Governor. That act was unfortunate and far-reaching in its evil results. At once the Legislature, composed then, as now, of Mormons, under the forms of law, by direction of "President" Young, transferred the powers and duties pertaining to the Governorship into other hands in order to have the government of Utah the more secure from national control when he should cease to be, and another become the Governor.

Deliberately, and in direct violation of the seventh section of the organic Act of 1850, an unlawful government was inaugurated, and to-day exists. In 1882, discharging the duty imposed by Congress, reënforced by the Supreme Court of the Territory, and since recognized by the commissioners under the "Edmunds law,"—a duty he could not evade, and should not neglect, and a prerogative exercised by the executives of all other Territories with like provisions of law,—the Governor of Utah named to the Legislative Council (Senate) sundry persons to carry on the government, saying: "Such officers must necessarily be named in the manner designated by Congress. Their election and appointment in any other manner, under an Act of the Territory which derives its power from the provisions of the self-same law, is nullification," etc. The Council declined either to reject or to confirm these nominations, claiming that this duty imposed by Congress had passed out of the hands of the Governor in virtue of divers territorial statutes, and adopted the following resolution: "Be it resolved, by the Council of the Legislative Assembly of Utah, that the complaint of His Excellency the Governor is groundless, and his nominations unnecessary, and that no action thereon is required." Thus was the unlawful government inaugurated, and it is kept in existence as it has existed for thirty years.

The machinery of "the Edmunds law" not having been put into operation in time for the August elections of 1882, Congress anticipated the failure. and by what is known as the

"Hoar Amendment" provided that the Governor should fill the vacancies occasioned by the failure to elect. A number of persons accordingly were named, and succeeded in qualifying under the law in the face of vexatious obstacles thrown in their way from one end of the Territory to the other. The general refusal to obey this law of Congress was strongly illustrative of the "oneness" that characterizes Mormon action. The Supreme Court of the Territory sustained the Act of Congress and the action of the Governor, but the delay of appeals with the stay of proceedings resulted in polygamists holding on without regard to the will of Congress, and to-day many are exercising the functions of office who under the law are not entitled either to hold office or to vote. As in the past other Acts of Congress have been nullified, so this one was disobeyed. Congress has required of the Governor to see that the laws are faithfully executed. The two instances cited, and many others that might be mentioned, demonstrate the fact that the Legislature is organized to defeat the will of Congress, and that officers of the Territory upon whom the Governor should rely to execute the laws combine to nullify them.

The Constitution of the United States declares that Congress "shall make no law respecting an establishment of religion nor prohibit the free exercise thereof." The Church in Utah needs no protection against the United States. It was the purpose of the writers of the Constitution, as it is now the purpose of the country, to protect the Government against the encroachments of the Church. Certainly this country fully protects all men in the right to worship God according to the dictates of conscience. This guarantee is maintained by all. Has the Legislature of Utah overridden this provision? Has the Government of Utah proved a faithful agent of the United States? Is it now a faithful agent? Have not the different legislatures which derived their powers from Congress, and which are paid from the national Treasury, passed, and have not the officers of the Territory who derive their power from Congress executed law upon law in direct violation of the Constitution and the laws of Congress? If they have and do, they are unfaithful agents, and after thirty years of forbearance and forgiveness they cannot longer in safety be allowed to perform the duties of such agency. Congress, which is charged with the duty and to whom alone good citizens can look, should do no less than a prudent business man

would do in dealing with an unfaithful agent. If such agents are not to be prosecuted, at least let their services be dispensed with. The question, if indeed there ever was any in Utah, as to the exercise of religious belief, was taken entirely out of intelligent discussion by the decision of the Supreme Court of the United States in the Reynolds case, sustaining the Act of 1862, which declared bigamy to be a crime. The question now to be considered is, whether there has been an establishment of religion, or at least numerous laws passed "respecting an establishment of religion," by the legislatures of Utah. Such laws are too voluminous to give in detail, but I quote a few paragraphs. Section first of an Act passed February 8th, 1851, ordains and declares that all that portion of the inhabitants of Utah who are or may become Saints are hereby constituted "a body corporate with power to sue and be sued, defend and be defended . . . and to establish order and regulate worship," "and hold and occupy real and personal estate," which the second section of the Act declares "shall be free from taxation." It further provides for a "trustee in trust and assistants," and that the trustees may receive property, real or personal, by gift, donation, bequest, or in any manner not incompatible with the principles of righteousness or rules of justice, inasmuch as the same shall be used for houses of worship, etc., "and the well-being of said Church." Section third reads:

"Be it, &c.: That as said Church holds the constitutional and original right in common with all civil and religious communities to worship God according to the dictates of conscience; to reverence communion agreeably to the principles of truth, and to solemnize marriage compatible with the revelations of Jesus Christ free to all; it is also declared that said Church does, and shall possess and enjoy continually the power and authority in and of itself to originate, make, pass, and establish rules, regulations, ordinances, laws, customs, and criterions for the good order, safety, government, conveniences, comfort, and control of said Church, and for the punishment or forgiveness of all offenses relative to fellowship according to church covenants; that the pursuit of bliss, and the enjoyment of life in every capacity of public association, and domestic happiness, temporal expansion, or spiritual increase upon the earth may not legally be questioned; provided, however, that each and every act or practice so established or adopted for law or custom shall relate to solemnities, sacraments, ceremonies, consecrations, endowments, tithings, marriages, fellowship, or the religious duties of man to his Maker; inasmuch as the doctrines, principles, practices, or performances, support virtue and increase morality, and are not inconsistent with or repugnant to the Constitution of the United States or of this State, and are founded in the revelations of the Lord."

Here is an Act of the Legislature giving corporate powers to hold real and personal property free from taxation, "not for purposes of worship only," but for general business, and under this they held farms, stores, railway stock, banks, telegraphs, theaters, cattle, sheep, etc., such as are now held by the Church. This Act, adroitly drawn in several particulars, was intended to be a wall of defense about an established religion, so that "it may not legally be questioned," and to confer power upon courts, even to pains and penalties, in all matters relative to fellowship according to Church covenants.

The Act of Congress declaring bigamy to be a crime proposed to repeal so much of this Act of incorporation and of all other Acts as "established or countenanced polygamy," but its provisos and limitations made the repeal questionable. The courts of Utah have held that as regards criminal offenses, such as theft of Church property, the act of incorporation was not repealed. For lack of the proper officer under the law it has not been tested in civil cases, but the better opinion seems to be that it is repealed. If so, the power remains in the Church as an association; if not, it remains in it as a corporation. The result is about the same. Under color of that Act, courts not open to all citizens, and unknown to Congress, sit with usurped powers, at least similar to those granted in the Act of incorporation, and deal with temporal affairs of American citizens. The same Act of Congress declared that it shall not be lawful for any corporation or association, for religious or charitable purposes, to acquire or hold real estate in any Territory of a greater value than fifty thousand dollars: now it appears from the census of 1880 that Church property to the value of $2,500,000, a great part of it real estate, is held in one county of Utah; thus is this Act of Congress nullified with the others. This feat is accomplished by putting the title to Church property in the names of presidents of stakes, bishops and other agents throughout the Territory.

By an Act passed in 1850, amended in 1856, and found among the laws published by authority in 1876, the entire immigration system for the Territory was given into the hands of the Church "to promote, facilitate, and accomplish the immigration of the poor." The result was "The Perpetual Immigration Fund Co." No other system has been sanctioned, recognized, or permitted by law, and to-day this corporation, now rich, forms an impor-

tant factor in the Church and State machinery, under the absolute control of the Church, and gathers the poor and deluded from all parts of the world. Section fourteen of the original Act provided that, "The Islands of Great Salt Lake, known as Stansbury Island and Antelope Island, are hereby reserved and appropriated for the use and benefit of said company, and said islands shall be under the exclusive control of President Brigham Young."

Exclusive grants of timber, water, cañons, etc., were granted to Young, Kimball, Benson, and others (see statutes), leaders of the Church. Ferry privileges were granted to D. H. Wells, provided he pay ten per cent. to the Immigration Fund Co. One other and conclusive instance I may give to show beyond question that the Church was esteemed, and by law declared, sovereign. Section 569, compiled laws of Utah, published in 1876, provides that all escheats were to be turned over to the Church Immigration Fund Co. by the probate judge, who was thereby "empowered and required to take possession of all property left by any deceased or abscondent person when there is no legal claimant known or sufficiently near to see to it in season." Are not these laws recognizing the Church aptly described as "laws respecting an establishment of religion," if indeed, they do not actually establish religion; and are they not therefore in direct violation of the Constitution?

The majority in Utah and the Legislature of the Territory recognize, as is shown in these written laws, even the sovereignty of the Church. Two bodies cannot occupy the same space at the same time. The sovereignty of the Church and that of the United States cannot both exist. Time has failed as it will fail to be the remedy, and I am constrained to say that delay is dangerous, and a wrong, to all alike. Designing men control ignorance which is joined with fanaticism, rob the poor of the results of honest toil, womanhood of its chief adornment, and inspire the souls of a confiding people in Utah with hate toward the people of the United States. These same men employ as counsel "wise men of the East," fill newspapers with interviews which in the light of facts are laughable, deceive amiable people, and pose as martyrs about the lobbies of Washington. In Utah the intelligence and to a great degree the wealth is possessed by the Americans; in other words, by those who recognize the sovereignty of the United States. They

largely pay the taxes to carry on the governments, both territorial and municipal, in which they have no voice. They largely support by taxes the schools to which their children do not go. The whole system is, in fact, unrepublican and unendurable to free men. The conditions there are different from any known to the body of the people of the United States, or their representatives. Many of those who think they know, and have been in Utah temporarily, are in woful ignorance; some even in Salt Lake City are misled. This evil must be eradicated. If the Legislature which is to convene in January will pass a code of laws in unison with the laws of Congress, I am sure the country will be gratified. If they fail, as I fear they must, then the remedy suggested by Stephen A. Douglas, and Frank Blair, and the Liberals of Utah, and for so long recommended by me should at once be adopted. This remedy is as follows:

Abolish the Legislature, and substitute in lieu of it a Legislative Council of not more than thirteen "of the most fit and discreet men of the Territory"; a less number, perhaps, would be better; they to be appointed by the President and confirmed by the Senate. The precedents for this action antedate the Constitution, and form a continuous series down to the present time. On July 13, 1787, four years after peace with Great Britain was declared, Congress passed "an ordinance for the government of the Territory north-west of the Ohio River." Section five of that Act provided "that the Governor, and judges, or a majority of them, should adopt and publish in the district such laws of the original States, criminal and civil, as may be best suited to the circumstances," etc., etc. Section four of an Act of Congress erecting Louisiana into two Territories and providing for the temporary government thereof, enacts as follows:

"The legislative powers shall be vested in the Governor and in thirteen of the most fit and discreet persons of the Territory, to be called the Legislative Council, who shall be appointed annually by the President of the United States from among those holding real estate therein, and who shall have resided one year, at least, in the said Territory and hold no office of profit under the United States." See Vol. 2, U. S. Statutes at Large.

By Act of Congress, approved February 21, 1871, Congress provided a government for the District of Columbia, with a Governor and Legislature. The conditions of that Territory were such that, for reasons well known to the country and deemed

sufficient by Congress, an Act was passed abolishing the legislative government and substituting a commission to govern the district under the laws of Congress.

The fact that the Constitution imposes upon Congress exclusive legislative power in the District of Columbia does not deny inferentially even to Congress the right to establish sound government, republican in form, in the "territory or other property of the United States" not set aside for the seat of government. But if we grant that Congress does not possess this right, then it has no power to establish any territorial government, and all such governments should be abolished. If the establishment is wrong the repeal should follow. The law which Congress may pass it may repeal in whole or in part. In the light of precedents older than the Constitution, the action of every Congress in our national history, and numerous decisions of the Supreme Court, the power of Congress exercised in abolishing the Legislature of the District of Columbia is not more complete than its power over Utah, and we can scarcely claim that we are better, or that the political rights of good citizens in Utah are more sacred than those of like citizens of the District of Columbia. If Congress then could abolish the Legislature in Washington at the instance of her best citizens, it may do the same thing for Utah at the instance of our best citizens; and as governing the District of Columbia by commissioners brought quiet and order out of confusion and extravagance there, so abolishing the Legislature and substituting a Legislative Council in Utah will bring quiet and order out of unrest and nullification there. The Louisiana statute is exactly the precedent, and presents the remedy. If that should prove insufficient, the exigencies of the future will demand more effectual measures.

ELI H. MURRAY.

TRIBULATIONS OF THE AMERICAN DOLLAR.

DURING the four fiscal years next preceding the years of active war for the Union, closing June 30, 1861, our national expenditures amounted to $272,000,000—a yearly average of $68,000,000.* Our net revenue during those years was $197,000,000, averaging about $50,000,000 a year. The excess of expenditures over receipts for the term was $75,000,000. This deficiency was probably enlarged some $15,000,000, by loss of revenue and increase of expenses incident to the beginning of the war.

The expenses paid during the four fiscal years covering the period of active war, closing June 30, 1865, amounted to $3,352,000,000, a yearly average of $838,000,000. The revenue during this term was $736,000,000, averaging $190,000,000 a year, and the excess of expenditures over receipts was $2,589,000,000. The expenditures for the last of these years were $1,297,000,000, and the deficiency was $963,000,000. The expenses paid during the war by no account cover the cost of the rebellion, which exceeded $6,000,000,000.

Yet the highest point at any time reached by our liquidated national debt was $2,844,000,000, on the 31st day of August, 1865, which sum may be considered reduced to $2,756,000,000 by cash then in the Treasury. The total debt, less cash on hand, July 1, 1883, was $1,538,000,000, a reduction of $1,218,000,000 in eighteen years, and an average of $67,000,000 a year.

The total interest-bearing debt on the 31st day of August, 1865, was $2,381,000,000, which was reduced to $1,338,000,000, July 1, 1883. In 1865, $830,000,000 bore interest at the rate of $7\frac{3}{10}$ per cent., $1,282,000,000 at 6 per cent., and $269,000,000 at

* Statements will be principally in round numbers; and years referred to will be fiscal years closing June 30.

5 per cent., per annum. Now, $250,000,000 carries interest at 4½ per cent., $738,000,000 at 4 per cent., $32,000,000 at 3½ per cent., and $318,000,000 at 3 per cent., per annum. The annual interest charge in 1865 was $151,000,000 — $4.29 per capita. It is now $51,000,000 — only 95 cents per capita.* The total amount of interest paid during these eighteen years is $1,948,000,000, averaging $108,000,000 a year. The total revenue for this period was $6,488,000, averaging $360,000,000 a year. The largest annual revenue was $558,000,000, collected in 1866, when the burden of war taxes was unabated, and the lowest $257,000,000, in 1878, when the crisis of 1873 had spent its force. Of this vast income, $3,191,000,000 was derived from customs duties, $2,718,000,000 from internal revenue, and $579,000,000 from all other sources. The annual average from customs is $177,000,000, from internal revenue $151,000,000, and $32,000,000 from other sources.

The total ordinary expenditures, including interest on the public debt, for the same period, were $5,358,000,000, which was distributed as follows:

Interest on public debt	$1,948,000,000
War Department	1,158,000,000
Navy Department	384,000,000
Pensions	620,000,000
Indians	110,000,000
Premiums on loans, etc	61,000,000
Civil and Miscellaneous	1,077,000,000

The burden of public debt upon the principal nations of the world, during this generation, has been unprecedented in all the centuries of the past. The aggregate debt of the nations of the world is now about $25,000,000,000. While the principal of our debt was never so high as that of France or Great Britain, and is now exceeded by that of Austria-Hungary, Great Britain, Italy, Russia, and Spain, the annual interest charge upon ours, at its highest, was greater than upon that of any other people. Nevertheless, in addition to paying interest at the rate of $108,000,000 a year, we have reduced the capital at the rate of $67,000,000 annually, since the close of the war for the Union.

And this has been done, for the most part, after very great reductions in internal taxes and customs duties. At the close of

* The Government actuary estimated our population at 54,163,000, July 1, 1883.

the war, our internal taxes fell heavily upon capital and industry in every form, and these, added to those levied under State laws for purposes of local government, imposed a burden upon the people which was a severe test of their patriotism and heroic endurance. Happily, a controlling popular majority proved constant to an administration of our national affairs which insisted upon an honest and prompt payment of our public debt and the financial honor and good faith of the Republic have thus far been firmly maintained.

I regard the history of this epoch as the best evidence thus far recorded in our national life, in favor of popular government. And the credit for these achievements does not belong solely to a political party. It is the rightful possession of a law-abiding as well as law-making people, and it is the legitimate inheritance of all who shall come after us who shall endeavor to secure the welfare, to preserve the good name, and to advance the glory of the Republic.

In 1868, while the burden of war taxes was still very onerous upon our people, a great political party declared that, "where the obligations of the Government do not expressly state, upon their face, or the law under which they were issued does not provide that they shall be paid in coin, they ought, in right and justice, to be paid in the lawful money of the United States." By "lawful money" was meant United States legal-tender notes, of which the value in gold in New York averaged, during that year, seventy-one cents on the dollar. The "obligations of the Government" then outstanding, embraced in this declaration, exceeded $2,000,000,000.

The Republican platform upon which General Grant was elected President that year, contained the following declaration: "We denounce all forms of repudiation as a national crime; and the national honor requires the payment of the public indebtedness in the utmost good faith to all creditors at home and abroad, not only according to the letter, but the spirit of the laws under which it was contracted." In keeping with this declaration, the first law enacted after the inauguration of President Grant provided "that the faith of the United States is solemnly pledged to the payment, in coin or its equivalent, of all the obligations of the United States not bearing interest, known as United States notes, and of all the interest-bearing obligations of the United States, except in cases where the

law authorizing the issue of any such obligation has expressly provided that the same may be paid in lawful money or other currency than gold and silver."

This authoritative action of Government practically settled all doubts as to the faithful payment of our public debt, and it measures a great stride toward the complete establishment of the public credit on that firm and enduring basis which has enabled us to refund the public debt, at a rate of interest far below that anticipated by the most sagacious and hopeful of our countrymen. It also settled our policy, so far as precedent action could, in favor of a prompt resumption of specie payments. But it went no further than to pledge the faith of the nation "to make provision at the earliest practicable period for the redemption of the United States notes in coin."

The interest-bearing debt of the nation was yet (July 1, 1868) $2,200,000,000, some of it still bearing interest at the rate of $7\frac{3}{10}$ per cent., and more than three-fourths of it at 6 per cent. per annum. Clearly, our first duty was to provide for matured currency obligations, and these were rapidly paid off.

The Presidential election of 1872 came and passed, and still nothing further was done toward resumption of specie payments. But the Democratic party had taken "a new departure" and accepted an honest man upon a platform which declared for public honesty, for its candidate, and both of the great parties stood pledged to a "speedy" resumption of specie payments. Again General Grant was elected President and the Republican administration continued faithful to the policy of honest payment of the debt, which had been reduced nearly at the rate of $100,000,000 a year during the previous years of his administration.

Still the means for resumption had not been provided, nor had any method of securing them been prescribed by law. Then came the financial crisis of 1873, when this nation bitterly experienced, if it did not fully realize, the evil consequences which inevitably follow the establishment of an irredeemable paper currency. Here was a great commercial people, with vast natural resources, with agriculture widely and highly advanced, with home manufactures largely developed, with a wonderful system of internal commerce and transportation in complete operation, suddenly precipitated into unutterable financial confusion and commercial civil war. Some had foreseen the trouble

and given timely warning against it, and now all thoughtful and patriotic citizens began to inquire into the causes of it and to endeavor to devise the proper remedy for it.

Most of the banks at the North had patriotically handed all their gold to the Government before the close of the year 1861, and were compelled to suspend specie payments. The Government practically suspended when it began the issue of legal tender notes, without a fixed time of payment, early in 1862. Immediately, gold, which was practically the only specie then in the country, disappeared from the channels of business, and it rose to 134 in our currency by the close of that year. Its highest point was reached in July, 1864, when it sold for 285, and a dollar of our currency was worth but thirty-five cents. Yet this currency was a legal tender in payment of private obligations, dollar for dollar, although the consideration may have been the actual delivery of specie dollars.

When the crisis came upon us, our currency dollar was worth in gold about the same that our silver dollar now is, eighty-five cents. We had, since the war, been very busy, as a people, raising wheat and corn, digging coal, making iron and steel, building railroads and producing and manufacturing nearly all things needful for the use of man. We had annually paid over $200,000,000, on the interest and principal of our public debt; we had disbursed very large sums for pensions, bounty, and back pay, to the returned veterans of the war, their widows and orphans; we had estimated our national wealth, by the census of 1870, at $32,000,000,000 — double the estimate for 1860; and yet we suddenly found ourselves in the midst of hard times, with poverty and distress in every community.

We now began to realize that a dependent people cannot be an independent nation. We found that we had imported, during and since the war, over five thousand two hundred million dollars' worth of merchandise, and exported nearly one thousand two hundred millions less; that we had exported over seven hundred million dollars more of gold and silver coin and bullion than we had imported; that loans by banks had more than doubled; that the aggregate debts of principal cities and towns had increased threefold; that our railways had extended from thirty to seventy thousand miles; that the liabilities of insolvents had risen from fifty-three million dollars in 1866 to two hundred and twenty-eight millions in 1873; and that the

burden of private debt, increased by rates of interest, was so onerous that a period of general bankruptcy among the business men of small means throughout the country was inevitable.

These forebodings were not too deep-colored. The market value of property rapidly shrank, in many instances, to half its estimated worth. Rents often fell in like proportion, and vacant tenements multiplied rapidly in city, town, and country. The great manufacturing and mining industries were paralyzed, and operatives were on short work at greatly reduced wages. Manufactures—of iron, steel, textiles—and products of mines rapidly accumulated upon an already overstocked market, and prices went so low that the most sagacious and enterprising operators were often compelled to close their establishments, or run into bankruptcy under the weight of accumulated losses. Multitudes of men willing to work could get no employment. Idleness and vagabondage and crime crept in where industry and thrift and laudable ambition had formerly reigned supreme. Great business enterprises, projected or begun, were abandoned or feebly prosecuted. Railway depots and passenger coaches were comparatively deserted; the thunder of the great freight trains which had so continuously reverberated along our principal thoroughfares of transportation was now rarely heard, and the incomes of railways were reduced below a permanently living profit. In short, this richly endowed and energetic people which had, within a century of its independence, achieved a high place among the foremost nations of the world, in the ability to accumulate wealth, was so crippled and prostrated in the exercise of its powers that its splendid annual income was very materially reduced.

Such was the situation when the Government, under the administration of President Grant in his second term, was confronted with its pledge to resume specie payments. Our surplus revenue, which had repeatedly exceeded $100,000,000 in former years, was reduced to $2,344,000 in 1874. Popular complaints were loud and bitter, and political demagogues were aggressive and defiant. The Congressional elections of that year put the House of Representatives under Democratic control, but the old Congress held over to the following March. The Democratic party stood pledged by its platform of 1872 to a "speedy" resumption of specie payments; but its representatives in Congress generally opposed all efforts to provide for it. Nevertheless

the administration party pressed the question to an issue in Congress, and the Resumption act became a law on the 14th of January, 1875.

It provided for the coinage of subsidiary silver money to take the place of fractional paper currency and removed the mint charge for coinage of gold. It made the national banking system free, and required the redemption of United States legal tender notes at the rate of 80 per cent. of the amount of national bank currency thereafter issued, so long as the aggregate of such notes should exceed $300,000,000. It directed that the legal tender notes should be redeemed "in coin" on presentation at the Treasury, on and after January 1, 1879, and it provided for the sale of bonds for the accumulation of coin with which to redeem them.

In 1876 the Republican party declared in favor of "a continuous and steady progress to specie payments." The Democratic party denounced the resumption clause of the act of 1875, and demanded its repeal. The Greenback party, which now appeared for the first time on the stage of national politics, declared for the "immediate and unconditional repeal" of the whole act. Mr. Hayes was elected President, but the Democratic party again carried the House of Representatives. Congress was convened in extra session in October, 1877, and the House very soon passed a bill for a repeal of the resumption law. Gold was then only 103 in currency. The Senate, which was still Republican by a slender majority, refused to agree to it, and the Government steadily pursued its way toward resumption by accumulation of coin in the Treasury.

In the meantime the people had learned that the way to permanent and substantial prosperity lay through a strict observance of public and private economy, which must precede a return of active and profitable industry. We had been living and doing business on inflated borrowed capital until the interest had devoured our available means and mortgaged our unrealized profits. We had run in debt abroad for merchandise nearly $100,000,000 a year from the close of the war to the year of the crisis. Thenceforth we stopped buying what we could not afford to use and pay for, and began to make and produce only what we could sell or afford to use or consume. The balance of trade turned rapidly in our favor. It averaged nearly $100,000,000 a year by 1878, and was $257,000,000 that year. Gold, which was

114 in 1875, when the Resumption act was passed, was less than one per cent. above par when Congress met in December, 1878. Still there was loud clamor in Congress for repeal of that law. It was not repealed, and it went into effect on the first of January, 1879, without stringency in the money market or stress in business. Then, for the first time in seventeen years, all our dollars were current, and practically equivalent in business throughout the land.

But the tribulations of our dollar were not at an end, nor will they be so long as we shall have dollars of unequal commercial value in circulation. They must be equal and interchangeable not only in our own country, but throughout the commercial world. The annual reports are not yet within reach, but the coin and currency now in the country may be stated as follows:

Gold coin		$545,000,000
Silver coin		235,000,000
Total coin		$780,000,000
Legal-tender notes	$346,681,016	
National bank notes	350,000,000	
Gold certificates	82,000,000	
Silver certificates	94,000,000	
Fractional currency	7,000,000	
Total paper currency		$879,681,016
Total coin and currency		$1,659,681,016

Deducting Treasury funds held for redemption purposes, we now probably have about $1,400,000,000 coin and currency subject to the demands of trade and commerce. This is about three and one-half times as much as there was in 1860, and twice as much as in 1873. In 1860, full one half was coin, and the balance paper convertible into coin. In 1873 all was paper, not convertible, and now about one half is coin and the balance paper, directly or indirectly convertible into coin.

What is this "coin"? Here is the rub. And it is a question which "will not down," and cannot be evaded by specious arguments, based upon the fact of domestic equivalency. We had domestic equivalency of paper dollars throughout the seventeen years' reign of inconvertible paper money, but that currency would not discharge our foreign balances, and we exported

$850,000,000 in gold and silver to pay them—exceeding $1,000,000,000 of our currency, at the average currency price of gold (127½) during that period.

Specie payments cannot be maintained in any country without a certain quantity of specie proportionate to its commercial activity and importance. What that quantity may be is mere matter of speculation, because the human mind cannot grasp, group, and properly estimate all the causes affecting it. Therefore, it may be regarded as an unknown quantity. But when the minimum is reached that fact is known, for the specie is not forthcoming, and payments in specie stop. This is a dread calamity, generally caused by unwise governmental interference with natural commercial relations.

It is maintained by some writers that in bi-metallic countries this necessary minimum of specie may be wholly of silver, even when overvalued in its coinage. I think not. If so, we might continue the coinage of silver at the present rate for at least twenty years without suspension of gold payments, saying nothing of the growth of the country, which, in this view, would carry it much further. To my mind, the maintenance of specie payments in gold depends upon the stock of gold, as compared with the quantity of currency which must be redeemed in gold. A depreciated silver coinage must itself be redeemable in gold, or the unit value of specie redemption must sink to that of silver. Therefore, gold, in addition to meeting all other demands upon it, must compose a sufficient quantity of the minimum specie fund to insure convertibility of silver into gold. Hence, gold is the essential foundation of our whole monetary structure, and, if that be undermined, the apparently magnificent temple of our currency system will fall.

Whenever our silver coinage shall exceed the amount which will circulate at par with gold, the latter will inevitably disappear from our circulation. Immediately thereafter, gold, having thus become an undervalued commodity, will be rapidly exported. Should the balance of trade turn against us before the maximum of silver circulation at par with gold is reached, gold will be exported to meet it. In either case, therefore, I conclude we must rapidly descend to the silver unit as our standard of value, unless, in the latter, the balance of trade should turn again in our favor before our stock of gold is reduced to the point at which our silver coin will not circulate at par with it.

If these conclusions are just, it follows that our ability to maintain specie payments in gold, and in depreciated silver at par with gold, depends not only upon the amount of paper currency issued, but upon the relative quantities of gold and silver money in circulation. If our gold and silver dollars were of equal value throughout the commercial world, neither kind could become excessive in quantity. The ebb and flow of international commerce would regulate the quantity of specie precisely according to the demands of our internal industry and trade. But, with an overvaluation of about 15 per cent. in our silver coinage, the draft of foreign trade is all upon gold, or upon silver as bullion, at its gold valuation. Hence our silver coinage bears none of the stress of foreign trade. It occupies precisely the same relation to it that legal-tender notes did during the suspension of specie payments. There is, however, a difference in these respects: Our silver coins have a certain intrinsic value, measured by the price of silver bullion in gold, while the value of legal-tender notes depended entirely upon the financial ability and good faith of the Government.

Though the legal-tender notes have now been redeemable in coin nearly five years, they are still outstanding, and they have an important bearing upon the silver coinage question. They were payable in the dollars known to the law when they were issued. These dollars were, by the act of 1837, defined to be, of gold $25\frac{8}{10}$ grains, or of silver, $412\frac{1}{2}$ grains, nine-tenths fine. The Supreme Court so held before the resumption act was passed. But in 1873 the coinage of silver dollars was suspended, and the gold dollar was declared to be "the unit of value." When this was done, the silver dollar was worth 103 in gold. The act of 1875 required them to be redeemed, "in coin," on and after January 1, 1879. The silver dollar was then slightly below par in gold. The coinage of silver was resumed in 1878, and when resumption day came, we again had both a gold and silver unit of coinage, and the silver dollar was worth about ninety cents in gold.

It is claimed by some that the Government may rightfully discharge its coin obligations, whether legal tenders or bonds, by payment in gold or silver coin, at its own option. There should be no room for honest difference of opinion upon a question of such importance. Certainly it should not be left to Executive discretion. Thus far, through the trying financial

ordeal brought upon us by the slaveholders' rebellion, the administration of our national financiers has been without technical denial or evasion of the nation's equitable obligations. We cannot now afford to clip our own coin and force it upon our creditors. Nor do I believe we shall.

Our plain, imperative, and instant duty is to settle — to settle at once and for all — the question, What is the dollar of the United States? In the view I take of the equitable and moral obligations of the nation, it should be the standard gold dollar. This is at once national honesty and the best financial policy. That is still "the unit of value," by the act of 1873, and it has in fact been our standard since its quantum of gold was fixed by the act of 1834. Silver was so undervalued by the latter act that the few silver dollars coined under it were no sooner coined than exported, and gold became the exclusive specie currency of the country, excepting what minor silver coins were indispensable as "the small change of business." Even these were rapidly exported, and in 1853 Congress reduced their standard to 384 grains, to keep them at home for this purpose. President Jefferson suspended the coinage of silver dollars in 1803. Not one was coined thereafter prior to the change of standard in 1834. During that period our mint standard was 15 to 1, while the commercial standard was over 15½ to 1. Every administration, for thirty years, maintained the gold standard, and this when it was our highest unit of value. From the establishment of the mint in 1792 to the suspension of their coinage in 1873, only about 8,000,000 standard silver dollars were coined. Our coinage of gold amounted to $780,000,000 during the same time. Thus far, since the resumption of silver coinage, silver has been maintained at par with gold in our circulation. Therefore, gold has practically been the standard of our specie circulation throughout our national history. It is the standard throughout the commercial world to-day. Every consideration of justice, honesty, and good policy, demands that we shall maintain it in this country.

How far the coinage of depreciated silver may safely proceed, with this end in view, is a question of high importance. The maximum of silver circulation, at par with gold, may suddenly be reached, either by increase of silver coinage or decrease of gold in circulation. Thus far, our stock of gold has increased far more rapidly since the resumption of silver coinage than that of silver. The gold value of our annual product of each metal has

not been far from equal during this time. While the imports of gold have been in excess of the exports each year, and largely so for the whole period, the exports of silver have exceeded the imports each year.

The account stands as follows:

Year.	*Gold. Excess Imports.*	*Silver. Excess Exports.*	*Gold and Silver. Excess Imports+. Excess Exports—.*
1878.....	$4,125,760	$8,044,571	$3,918,811—
1879.....	1,037,334	5,738,775	4,701,441—
1880.....	77,119,371	1,227,980	75,891,391+
1881.....	97,466,127	6,297,477	91,168,650+
1882.....	1,789,174	8,734,263	6,945,089—
1883.....	6,133,261	9,464,203	3,330,942—
Total.....	$187,671,027	$39,507,269	$148,163,758

This great influx of gold, increased as it probably has been by $50,000,000, brought in by immigrants, and augmented by our total production during this period (fully $200,000,000), has, in all probability, averted for the time being the disaster which might otherwise have resulted from an excessive coinage of cheap silver money.

The table shows the movement of precious metals during the last six fiscal years. Thus far, since the close of the last fiscal year, it has been more favorable to us than it was the year before, for the same months. But there is apparently a feverish excitement and uncertainty in the present business situation. A short crop of our great agricultural staples does not readily find a profitable market. Railroad building has fallen off the present year, and is likely to be less active henceforth. This, together with the recent reduction in tariff duties, has seriously affected the manufacture of iron and steel and the mining industries so largely dependent upon them; and failures and suspension or reduction of business in these lines foreshadow a large reduction of wages and want of opportunity to work for a very numerous class of our laborers and artisans. Low wages and forced idleness for them involve the necessity for the most economical living, and tend to the accumulation of large stocks, and to the prevalence of low prices for other manufactures and for agricultural products, the sale and price of which depend most largely upon home consumption.

Bank loans more than doubled from 1830 to 1837, nearly doubled from 1850 to 1857, rose from $487,000,000 in 1865, to

$944,000,000 in 1873, and a crisis followed the maximum figures in each case. They sank to $834,000,000 in 1878, and have now risen above $1,300,000,000. The crisis of 1873 was, to my mind, more largely the effect of a vastly inflated system of public and private credit, than of all other causes combined. Since we recovered from that reverse, we have enjoyed a very remarkable period of industrial activity and financial prosperity. If this can be permanently prolonged, we shall rapidly approach the time when the commercial center of the world will be transferred from London to New York. But the march of commercial empire is often impeded by obstacles which sternly test the strength and endurance of its forces. To overcome all foreign obstacles which lie in its path is a truly imperial exercise for this Republic, and to foresee and avert all domestic impediments is wise republican statesmanship.

It is a good time in prosperity to prepare for adversity. Whether it comes soon or late, it is best to prepare for a reverse in our foreign trade. We cannot expect the flow of the precious metals to be constantly toward us. It is very likely to be outward for the current fiscal year. In such an event, the strength of our monetary system will, for the first time since the resumption of specie payments, be fully tested. When the stress of an adverse balance of trade shall be upon gold, the draft of the whole volume of our silver and paper currency will be added to it, if we are to maintain payments in gold. We have seen that our volume of paper currency alone amounts to $879,000,000. Add the silver, and we find our gold subject to a domestic draft of $1,114,000,000. Our gold coin and bullion, on the first of November last, amounted to $580,000,000. Should the balance of trade turn and continue largely against us, in my judgment this is not a sufficient supply to enable us to maintain gold payments. A depreciated silver coinage will not help us much, in such an emergency, unless we promptly declare our purpose to make it good in gold, and proceed to secure the means to do so. This would require an accumulation of gold, in addition to that already in the Treasury, sufficient to make silver dollars convertible into gold, at the will of the holder. And it would not be burdensome upon the Government to do this; for we have the difference between the cost of the bullion and the tale value of the coin in the Treasury. And this would, in my opinion, do much more to maintain the bi-metallic standard than a further

continuance of silver coinage can do without such a pledge on the part of the Government.

When the conference of 1881 failed to agree to an international standard, I thought we ought ourselves immediately to suspend the coinage of silver dollars. The subject now demands the prompt and careful consideration of Congress; and the financial signs of the times admonish us, at the least, judiciously to vest a discretionary power of suspension in the Secretary of the Treasury.

The recent financial and industrial achievements of this Republic have placed her high among the wealthiest and strongest nations of the earth; and the genius, the enterprise, and the industry of our people, endowed with the almost inexhaustible capital of her wonderful natural resources, will, if not impeded by unwise governmental interference, make her foremost among them all, before the dawn of another century. However we may differ as to tariff, taxation, or disposition of surplus revenue, let us never forget that genius, enterprise, industry, and capital, all combined, will be powerless to achieve and secure this preeminence if we again trammel them with a disordered, depreciated, and irredeemable currency.

JOHN I. MITCHELL.

THEOLOGICAL RE-ADJUSTMENTS.

THE question to be discussed looks not toward any possible re-ordering of the Creeds of Christendom with a view to their mutual reconciliation, but, having regard to the marked divergencies of educated thought and feeling, to-day, from lines prescribed by orthodox authorities for Christian thinking and living, it is proposed to consider whether the time is not come for a frank restatement of the theological position by those having the right to give judgment in such matters; whether it were not well that representative acknowledgment be made of certain certified results of modern criticism and science, seriously affecting certain conclusions supposed to be essential to the integrity of Christian faith, so that a better understanding might be had with men who have repudiated that faith mainly through misrepresentations of its spirit and essential precepts. This end would be attained by eliminating from the *credenda* of the churches all that is unworthy of "the mind that was in Christ;" remitting all things of uncertain obligation to the sphere of opinion; resolutely dismissing all claims upon our reverence or respect that have been discredited by the more thorough and more conscientious scholarship of the current century; so delivering multitudes of men and women in and about our churches from confusion and embarrassment, while depriving the noisy infidelity of the time of its most effective weapons.

Yet to these demands for larger scope for the play of religious opinion, the rulers of our Christian synagogues will probably answer with indignation, many of them having but dim conceptions of the trouble that is abroad outside the circles in which they chiefly "live and move and have their being." It is not a hopeful sign for men impregnated with the spirit of the time, looking in sorrow on the increasing alienation between

rationalism and a traditional religionism, and longing for some worthy attempt at re-adjusting old formulæ to new truths, to see how laboriously "councils," "synods," "convocations," occupy themselves in simply dusting ecclesiastical furniture, so to speak; or in oiling ecclesiastical machinery, or in supplying bits of new gearing in place of the broken or worn out; comfortably oblivious of the threatening condition of things without. Men of a steady stolid conservatism mostly, the members of these conclaves shrink from the most timid suggestions of change in the economy they administer; have a horror of everything that might disturb "the peace of the church," believing fervently in the maxim: "*Stare decisis, et quieta non movere.*" Such men stand for the past, for the things that have been tried, and that have stood the trial so well, as they think. When doubt or contradiction is abroad, they come together to re-affirm the old with increase of emphasis, or to threaten with a heavier and speedier damnation the men who begin to be restive under the old dogmatic restraints; going home with a serene satisfaction at heart that the kingdom of God is safe for another interval! Meanwhile the great outside world goes staggeringly on, through much confusion of thought and tribulation of heart, toward some far-off end of which the wise man knows little more than the densely ignorant; the latest "syllabus," or "pastoral address," shedding little light on the way. It is proper, of course, that the custodians of "the truth" should be jealous of the intrusion of heresies; but it is pitiful to perceive what very narrow notions ecclesiastical councils usually form of what they call "truth"; very pitiful is it to mark the insensibility which commonly prevails in them, as to the new social and intellectual conditions and forces to which men are to-day subject; and that they should be so strangely unaware of the friction, mostly silent, going on at the very foundations of our still fair-looking religious structures—something to be dreaded much more than the most desperate open assault.

Men of intelligence and moral sensibility, retaining faith in God, find grave occasions for trouble in the contemplation of such a state of things, seeing how seriously Christianity itself is thus compromised in the popular estimation. Yet is there one fact of hopeful significance, that is daily attaining more pronounced expression, in the discrimination men are making as to the proper office and function of theology. It is simply mar-

velous to mark what a space theologies have filled in history, and what authority they have arrogated and exerted over the thought and activities of the world; the assumption having prevailed throughout Christendom, very generally, down to our own time, that whatever theology asserted was to be received without question, how hard or insulting soever to the natural reason or conscience of mankind. The very confusion and frequent conflict between rival theological systems themselves ought to have shaken men's confidence, one might think, in the authority of those systems, or in the infallibility practically claimed for their conclusions; but, appealing to human nature at its weakest points, as they did, and backed by arguments of a sort which few men had the courage to answer, theological *dicta* were accepted by almost all in silence, if not with inward submission, only here a man and there one daring to provoke the penalties which theologians always had in reserve for the crime of freethinking. Theology seldom plies its old coercive constraints over men's minds to-day, or only in places where intellectual light and liberty are late in coming; yet, through the law of heredity, I suppose, the old habit of unreasoning acquiescence survives to some extent still; though the right of holding belief in suspense, at least, under dogmatic dictation, is asserted by increasing numbers in even orthodox "folds"; while a few resent openly the intrusion of authority upon the deliberations of the personal intelligence and conscience.

It may seem strange that one whose faith in Christianity is still firm should see in the increase of such skepticism a hopeful sign for the future of Christ's religion; yet is it only through deliverance from the bewilderment in which theologies have involved Christendom,—men coming to care less and less for the errors or extravagancies of which theology may be convicted,—that the real issues between faith and unbelief can come into clear view, and that the Gospel of Jesus Christ can have fair opportunity to commend itself to the reason and conscience of mankind. Very refreshing is it, therefore, to observe from this point of view, how much more lightly theological systems weigh to-day upon the hopes and fears of the world than they once did; to note the decline of the spirit of passive obedience, once all but universally prevalent; and to mark the free handling to which church dogmas are now compelled to

submit: men trained in the severest orthodoxies speaking freely to-day of "the theological renaissance" now on; of an existing need for Christian thought to "re-arrange its faiths in new lights"; of "a full adjustment between reason and Christianity to be steadily sought."

The truth is thus slowly emerging into wider recognition, that theologies are simply formulated opinions about God and things pertaining to God; or that they are philosophies elaborated out of, or woven round, the great facts of human consciousness and experience, together with other facts received through tradition and testimony of an alleged supernatural origin and authority. Thus viewed, no man of intelligence and fair feeling will refuse theology patient hearing; but neither will he yield it a blind submission, but will apply to it tests to which all philosophies have had to submit; and this he will do with the more rigor to theological schemes, knowing the fascination which the facts underlying theology have had for weak, or distempered, or abnormally emotional natures. He knows how powerfully such facts appeal to the imagination and to rapturous feeling, so setting all the requirements of exact thinking at defiance often; logic being beguiled by sentiment, the judgment unsettled by inflamed affection, reason uttering itself in the language of poetry. There is little occasion for wonder that theologies should be so often found by the cold, critical intellect to be full of strange or extravagant conceits. Learning or reflecting upon these things, reasonable men cease to regard theologies as final and exhaustive explanations of all that nature holds, or that life reveals, of mystery, some of those long and very widely revered filling one with a shuddering awe at times, by the familiarity they affect with the secret ways and workings of Almighty God; as witness the so-called creed of St. Athanasius.

These remarks are meant to lead up to the conclusion that theologies must surrender the claim to infallibility they have practically asserted so long; that they must cease to insist upon the absolute finality of their decisions; leaving men's thoughts to play freely round the few great facts which Christian Revelation supplies as a basis for faith; looking with complacency upon the largest variety of opinion that may appear in the interpretation and application of those facts: the office and function of theology coming to be regarded as advisory, and not dictatorial. "A very mild, ineffectual sort of conclusion," some men may say;

but a conclusion of far-reaching practical consequence, as I venture to think. How much a general and hearty recognition of it might do to allay sectarian animosities, and to prevent destructive hostilities between the churches! How harmless many of the assaults of infidelity upon Christian truth would come to be esteemed, when it should be clearly and generally perceived that such assaults were inspired by, and aimed at, some theological misconception or perversion of Christian truth, as they often are, and not by or at anything essentially in that truth, or of it, at all. What man of discernment does not know that the unbelief, now so prevalent, finds most frequent occasion for objection or cavil just here? Is it not about time, then, that the religion of Jesus Christ should no longer be held responsible for the fanciful refinements, the conceits, the inhumanities, propagated and done in its name by dogmatic authorities in modern or in ancient times? What an immense relief it would be to crowds of Christian men could they get out of all confusion of mind so created, and from beneath all obligations imposed by irrational theologies, to defend things indefensible, and to reconcile things irreconcilable; the occasions for attempting such feats arising mainly from the creation and obtruding of false issues by dogmatic systems. Happily, the number of religious teachers is increasing who show discrimination in these matters, allowing the specialties of our motley-hued theologies to sink out of sight; insisting only, or almost wholly, upon claims that spring naturally out of the teaching of Jesus Christ; estimating all things attributed to Moses, or to the prophets, or that we have even from Christian apostles, according to the measure of their agreement with the spirit and precepts of the one Lord and Master. Let only such breadth of view and pliancy of faith continue to increase as of late in the religious world, and the occasions will be fewer for sectarian alienations, and for fear of the doings of an iconoclastic infidelity. Such a healthy latitudinarianism is penetrating all religious circles, and in it men of large liberal hopes see good augury for the future.

But the most pressing demands for the relaxation of dogmatic restraints, for a frank restatement of theological postulates and exactions, with a view to their re-adjustment to the demands of the time, come not from within the church, but from without; though many of her own teachers and apologists are secretly longing, I suspect, for relief to their own minds from embarrass-

ments springing out of the two-fold relation they sustain to the old and to the new; ingenuity being sorely taxed often in shaping other constructions for old theological formulæ than those they were meant to bear. But the chief occasions of the uneasiness felt just now by most thoughtful and observing Christian men are of a wider import and bearing. Two of these occasions I indicated in the early paragraphs of this paper, but must now discuss them at length.

Criticism has worked over very searchingly and thoroughly, as we know, the writings constituting the Book which we may still justly designate the Word of God—with what results is now known, in a general way, by all persons of tastes and accomplishments to fit them to judge in such matters. Criticism has confirmed the claims of those writings, in the main, to an exceptional character, justifying the confidence and veneration felt for them, by multitudes, as the media through which Almighty God has made known His will to men. But from where we stand now, we can see how a collection of documents such as those constituting the Bible,—of such manifold variety, representing nearly all stages and phases of human progress, from the very inception of civilization to a ripe maturity, and subjected, as the Biblical writings have been, to all sorts of conditions and contingencies likely to affect the purity and integrity of literary productions, and offering frequent temptation for scribes to import their own conceits and designs into them;—it ought not to seem strange, I say, to-day, whatever may be claimed for a divine superintendence and inspiration of the "sacred writers," that a critical examination of such a collection of documents should reveal confusion, inconsistencies, doubtful traditions, with traces of mental and moral infirmity in the writers seemingly incompatible with the evidences we have of the workings of a Divine Spirit in them. But theology, more especially our early Protestant theology, in all its types, knew little of these things; or, under the influence of pious prepossessions, has resolutely ignored them; shaping for itself, and imposing upon all under its authority, an almost purely mechanical conception of the Bible, lacking the "sense of history," with no perspective or proportion in the view it presented of the religious past of mankind. The Book, as so presented, had no natural history, so to speak; no law of growth or development was to be traced in its formation. The Divine inspiration was equal in

all ages, and in all the men who had part in the work of the Bible's construction; such part being that of serving as passive instruments merely under a supernatural energy. Every book in the compilation was where it was under Divine direction, of the date assigned it, and from the person whose name it bore. The Bible was therefore to be accepted as a whole, every part being of equal authority, because inspired by one Spirit; the one great requisite for the right understanding of the Book being an absolute intellectual submission; all unmanageable items in it to be accepted as mysteries not to be inquired into. Now, coming to the Bible with such an estimate of its character and claims drilled into us by our theological instructors, all natural traits disappeared, of course, from the men and women we encountered in its pages; the judgment was confounded in trying to estimate their moral doings and deservings; hideous sins became saintly virtues; the morbid utterances of distempered minds had to be accepted as effusions of heavenly wisdom; all things "found in the Bible," unless expressly condemned, having equal claim to our reverence, because "inspired," and therefore "infallible."

Such was the judgment which men were taught to hold the Bible in, such was the mental attitude they were required to maintain toward it by orthodox theologies, the judgment and the requirement remaining unrescinded and unmodified in the "standards," "confessions," "catechisms," "articles of belief" of our churches to-day. But it need hardly be said that the judgment has been undermined, that the attitude is felt to be untenable by increasing numbers of men and women still in "good standing" in the churches; criticism having shown that uncertainty attaches to the "texts" of sacred Scripture in places; that interpolations are definable in various books; that mistakes have occurred in transcription; that passages have probably been colored in favor of ecclesiastical or theological "views" or pretensions. Nay, more than this will a competent, candid scholarship acknowledge to-day. It frankly confesses that some of the Biblical books are of doubtful date; that certain passages once reputed historical are of traditional authority only; that others are poetical delineations simply; and that many of the "prophecies" and "types," which expositors have found thickly strewn through the Old Testament, are purely fanciful in the meaning and application commonly put upon them. The Bible, in brief, under the handling of modern

criticism, is seen to be a more natural, more reasonable book, than the old artificial, orthodox view has represented; reflecting the lights and shadows of history; showing life as it was actually lived by men at various stages of the world's progress, under varying degrees of light, as recognizing different standards of morals and manners, and as subject to very varied formative conditions and forces. These conclusions of modern criticism may be startling to men of conservative views in our churches, but they are accepted by nearly all men of a thorough scholarly training to-day; few among them finding any serious difficulty in reconciling such conclusions with faith in the Bible as the organ of a Divine inspiration, or as witnessing to the workings of a Divine power in human history.

If, then, the well-established results of Biblical criticism just indicated be known to, and are admitted by, Christian scholars in their studies, why should the old mechanical conception of sacred Scripture be still taught in church formulas? Is it not about time that some deliberate representative attempt should be made to prevent the confusion and shame that ensue from two conflicting creeds as to these matters having currency among us — one, that of the enlightened cultivated few, and the other, that of the uninformed multitude? For the contradictions are painful and unsettling to the faith of vast numbers of men and women which are seen to exist between the views of the Bible given in the old orthodox "standards," and in the teachings of modern criticism. Young persons get, at home and in Christian schools, impressions of the Bible as a book every word of which was written under the direct dictation of the great God, and that every part is therefore absolutely free from all admixture of human error. But a little while later they learn, on going forth into life, that their early impressions are groundless; that the notion of "verbal inspiration" is an invention of theology; that mistakes of all sorts are detectable in the Scriptures as we have them to-day; on making which discoveries, some of those thus undeceived are tempted to impute pious fraud to their teachers and pastors. Then is there reason to fear that respect for all religious truth may go with the rejection of claims in behalf of the Bible which the church's best scholars have shown to be false. A good deal of the infidelity of men and women about us has a tone of angry resentment in it against the imposture, as it is counted, which was practiced

upon the ignorance and credulity of their youth. Is not the plea timely then; is it not reasonable and urgent for some authoritative restatement of the theological position of the time as it bears on these things; such a restatement as shall take away all occasion for double-dealing, whether with young or old minds; and such as shall relieve Christian men of all necessity for resorting to evasion or sophistry, when confronted with such well-established results of critical culture and research as discredit many things in the old orthodox estimate of the Bible?

But equally urgent are demands of a like purport coming from another quarter of the intellectual heavens. I shall at once be taken as hinting at the inroads which science is supposed to have made upon the domain of theology. A sense of weariness comes over one at times from being compelled to listen to so much loose talk, and to read so much ineffectual writing, on the "conflict" said to be raging just now between religion and science; the effect upon popular religious beliefs being very disastrous, it is said. All intelligent men have heard of the "bitter antagonism"; and some have gone and looked in upon the contest to discover the real occasions of the strife, trying to understand clearly the issues in debate, and what, if any, solid interests were involved. But most of these inquirers have come away somewhat bewildered, or angered, I suspect, by the confusion and misrepresentation prevailing over the whole field of the fight going on; science, or those speaking in the name of science, being desperately intent upon destroying a crazy-looking image they had set up bearing the name of religion; some being busy in answering the latest declamations of the anti-scientific pulpit, for which the scientists would persist in holding Christianity responsible,—after the manner of Mr. Huxley's making Moses responsible for the very imaginative cosmogony of John Milton,—while the other party to the "conflict," ecclesiastics, theologians, apologists, were dealing out emphatic denunciations of the wicked presumption of science, in daring to intrude upon "sacred" ground; the more vehement among them hurling horrible anathemas at the heads, or upon the souls, of their adversaries—all of which was very sad to see and hear. Yet that is the sort of thing that men commonly call "the conflict between religion and science." It is surely time that questions of such magnitude and moment as those involved in such conflict should be more worthily handled.

Specially is it desirable that the men representing religion in the debate should show themselves men of open minds, of pliant thought, manifesting all reasonable readiness to surrender positions no longer tenable.

Necessity for the actual doing of that was sure to arise, as the thoughts of men should widen "with the process of the suns." Theology, during the ages of her supremacy, intermeddled with all knowledge, putting her ban upon all free excursions of the human mind, and sitting as umpire in the decision of all controversies. Her proper province was the study and teaching of moral and spiritual truth. That did not satisfy her large ambition, however. Her right was unquestioned to control the intellect of the world under her rule along all lines of its operation, and to prescribe the conclusions it should reach, in virtue of an authority she claimed to hold direct from Almighty God. In the exercise of that prerogative the church put a fixed and an immutable meaning upon all things she found in sacred Scripture; whereas it was sure to ensue, in the progress of knowledge, that other constructions would be required for many Biblical statements, more especially for such as a later science would have to adjudicate and decide upon. In that presumptuous anticipation of all later growth and enlargement of the human mind was provided the chief occasion, the "*fons et origo*," of the trouble and strife existing to-day between science and religion.

But no intelligent man believes now in the right or the competence of the church to impose the opinions of her scholars, touching matters of which they were often densely ignorant, as articles of belief upon the reason and conscience of mankind. All men of right reason concede to-day that modern science must therefore be left free to prosecute its researches whithersoever it will, and to formulate the results at which it may arrive; the church accepting in a spirit of proper submission all such discoveries and conclusions as shall be shown to be duly authenticated; theology accommodating its prescriptions and demands accordingly. And science has already registered a sufficiency of such conclusions to require large re-adjustment of the old theological position, or of the parts affected thereby, in the light of to-day. Our religious guides must furnish some more rational interpretation than any now accessible, of the cosmogony and the anthropology ascribed to Moses; of the very narrow limits

of scriptural chronology compared with the cycles of ages required for the evolution of the present world-order; of the marvelous longevities claimed for "patriarchs"; of the phenomena of the deluge; of the philologically curious story of Babel; of the poetically grand, but scientifically incredible, account of the sun's sudden arrest upon Gibeon, and the moon's in the valley of Ajalon: all these, with many other such amazing matters must receive fitter treatment at the hands of religious apologists than they have hitherto received to justify the demands still preferred that men shall accept them as historically valid. Room will have to be found in the theological mind of the near future, probably, for such a conception of the method of Divine activity in "the constitution and course of nature" as shall be easily harmonized with the evolutionary hypothesis so rapidly establishing itself; the notion of frequent creations giving place to the conception of a primal creation with the endowment of quality and energy adequate to the attainment of all the ends at which creation was aimed; the notion of progress by sudden leaps yielding place to the idea of progress as a gradual and orderly ascent; the seemingly miraculous interventions upon the plan of Providence as unfolded in history coming to be regarded as natural displays of the Supreme power, only on a higher plan of operation, or as ruled by laws of whose action only occasional glimpses have been afforded to men. Failing to meet these demands, the church will have to allow those of her members of a more inquisitive and exacting order of mind than others to remit the more marvelous parts of the Biblical narrative to the sphere of tradition, or of poetry.

But have we not in this assertion of a right to the exercise of a large personal liberty in doubtful matters a just and adequate settlement of the whole question? "Why plead," it may be asked, "for any formal and express re-adjustment of decaying theologies to advancing knowledge at all? Why not let the drift in religious opinion away from old dogmatic moorings go on without calling attention to it?" To which question the answer is at hand: Because the drift carries away much more precious material than rejected bits of theology; the speculations of our Scribes being confounded with the doctrines of the Divine Master; for which confusion the Christian church is responsible, in claiming equal reverence from men for the

speculations as for the doctrines. The mischief hence resulting is immense. For little as the incredible pretensions and demands of theology obtrude themselves now upon the attention of the world, they do so sufficiently to offend men; and a man offended by foolish claims for which the church continues publicly to stand sponsor is under sore temptation to hear with indifference, or to reject with scorn, all that that church has to say in behalf of truths of immeasurable interest and consequence. Let the rulers and the rabbis look to it.

J. H. RYLANCE.

ALCOHOL IN POLITICS.

ALCOHOL is already in politics: I refer not to the sporadic efforts of detached sections of the country, such as have been familiar to the public for the last fifty years, but to a broad and general movement among the masses of the American people, which, in my belief, will not cease until the traffic in intoxicating liquors is prohibited by both State and National law. Whatever the final issue of the struggle, the immediate future will surely witness the hottest political battle that has ever been fought. When we consider that the continued existence of a vast industry involving at least one billion dollars, or one-fiftieth part of the capital of the country, depends upon the result, it is at once manifest that nothing in our peaceable history has paralleled the conflict which is now upon us.

There have been those who have proclaimed for years the approach of this conflict between alcohol and modern civilization, but the masses of the people, absorbed in the exacting duties and labors of the present, have disbelieved in the possibility of any serious political contest growing out of the effort of society to save its own life. There is sound philosophy as well as solid comfort in the reflection that "sufficient to the day is the evil thereof," and the generations which founded, developed, reconstructed, and preserved our institutions have been sufficiently employed in the great work which in the order of Providence was given to them to do. The progress of humanity is through and over difficulties and obstacles apparently insuperable; and now that we have, as we trust, made the union perpetual, we find the exertion of our utmost powers indispensable if we would save that union from an evil which, if not arrested, will destroy all the flower and fruitage of our national life. Although the masses of the people may not long anticipate the coming event,—and it is well that the performance of present

duty should not be embarrassed with the apprehension of that which does not press for immediate decision,—yet they comprehend the crisis at once when it comes. The people knew better than the Congress the full significance of the guns of Bunker Hill and of the hoarse cannonade of Sumter in later times. So now, what politicians and the so-called "higher classes" deride, or at least but half comprehend, is already coming to be recognized by the common people—who, after all, are *the* people—as the next great work of regeneration and development which they are called upon to perform in their sovereign capacity as arbiters of the destiny of themselves, of their children, and of the human race. There is not a single State of the American Union to-day in which the people do not as a whole believe the liquor question to be the most important one which politically concerns the public weal. True, existing parties are not willing that this question should come to the front. Existing forms are always conservative. They fear and oppose the coming giant, for they know that he will fashion all things anew. But ideas are almighty and issues force themselves. They will be decided. Progress is but the successive decision of issues as they present themselves to the minds of men; and this temperance issue which has stalked unbidden to the front will not be stayed or turned back. The state of mind which gives three hundred and twenty thousand votes to prohibition in Ohio is ripening in Alabama, Massachusetts, Arkansas, Oregon, and Illinois—everywhere in the national domain. There are but few honest men and no women who really dispute the terrible charges which are made against the use of alcohol as a beverage. If alcohol is in politics and the issue is to be met, the question of method must be first decided. There are but three courses open: Freedom, License, Prohibition.

Society nowhere attempts to exist with the traffic in alcoholic liquors unrestricted. Experience has compelled the attempt at restriction, so that the question of the right of society in the premises is settled, just as is the right of self-defense. There remain then only the remedies of License and Prohibition, and the question as to which shall be employed must be decided wholly by the effect which either remedy produces when practically applied. Between these methods of action the choice of the people is constantly being made, and it is this process which, in a great measure, constitutes the reform itself. That which

believes itself to be the true temperance sentiment in this country considers the alleged remedy of license, whether high or low, as no remedy at all, and as a flagitious partnership of society with alcohol. It may be granted that license is a source of revenue to the State. So were indulgences for other crimes in former ages; and the license of any single crime whatever is as justifiable as that of the common cause of every crime. The masses of the people are comprehending this and see clearly that prohibition is the only remedy,— all else is a cheat and a snare. This much has been demonstrated a thousand times during the last half century, and the verdict is made up. If any one disputes this proposition now, do not hope to convince him by an array of facts, but search for some ulterior cause of self or party interest, or tendency in personal habit or of social life, or in a belief that the use should not be restrained at all save by personal choice.

No great evil was ever yet subdued by license. Prohibition absolute by law is the only remedy sanctioned by experience and common sense. Even prohibition partly fails. My chief object in this article, however, is not to argue or even to assert the validity of the leading propositions of the Prohibitionists. But recognizing the fact that alcohol is already in politics, and that it will stay there until the battle is fought out to the bitter end, I wish to advance a few suggestions as to the future plan of action. The peculiar nature of American government complicates the situation. Strictly speaking, there is no such thing as the State government or as the National government. Neither alone is government,— each is a part of a great whole,— each is supreme in its sphere, and each is as essential to the formation of government in its complete and proper sense as are the people who individually possess the citizenship of both.

The evils of alcohol are national in extent. No one disputes the power of the General Government to regulate or destroy the liquor traffic in the Territories except those who hold to the full-grown doctrines of squatter sovereignty, and who would remit intemperance and all other evils, and, in fact, the whole social status, to the people of the Territories themselves. As regards the States, if the power of each of them over the alcohol traffic were absolute, there would be no occasion for this article. But such is not the fact, neither is it the theory of the law as to the relation of the governments of the States and of the nation to

each other. In all questions touching foreign commerce, and commerce between the States and with the Indian tribes, the General Government is supreme. Whatever is property and an article of commerce in any State or Territory, or in any foreign country, which seeks transmission anywhere in the entire domain of the whole country, is under the protection of the law and of the army and navy of the United States. The lines which separate the States are at best geographical — that is to say practically imaginary. The United States ship alcohol in the original packages from every point in and out of the country to every point in the country, and no earthly power, save rebellion, or an amendment of the national Constitution can prevent.

The appetite for alcohol is everywhere. It is almost as strong as the love of life, and constitutes an imperative demand. If the supply exists the demand will make short work with the exterior of original packages. In other words, the National Government is the great ally and protector of alcohol; and so long as the national Constitution is its real stronghold, the battle for prohibition in the States, while it may succeed in the official bulletins and while it will rescue a great multitude of bodies and souls from death, must still falter and in the end substantially fail or at best be renewed forever. Even if prohibition reigned in every State and in the Territories, yet so long as importation and transportation should continue, as they must until the national Constitution is changed, the result of legal reforms within would very largely be to transfer the capital now invested and paying taxes in our own country to foreign lands, to be there used to the still larger profit of the owners, and the support of other governments, or to give the entire capital and profit to foreigners, who would then manufacture and sell full supply of the American demand.

I would by no means be understood to assert that the heroic struggles in the States hitherto have been useless, or that the glorious conflicts of the present can be suspended. On the contrary, they are the very life and hope of the cause. They very largely restrict and do greatly reform. They create the public opinion which will crystallize in both State and national law. The struggle in any State is part of a greater one in the nation at large. It is all one fight; but it is high time that the effort which is one in its nature and object should concentrate for its natural and necessary end. The effort which

this generation is making should not, because of misdirection, fail of that complete success which is so indispensable to the future of our land and of the world. There is force enough to win everything, and it is easier far to accomplish both—to carry the States and the nation at large—than either alone.

State elections, and Congressional elections, and Presidential elections, are all taking place together. Alcohol is a political issue that more truly concerns national politics than it does the politics of the several States. Why, then, is it that year after year the dreary work of Sisyphus goes on in every State; that the stone is rolled up the hill with infinite labor in the State only to be rolled down again by the force of national law at the top? Why is it that in Maine, New Hampshire, and Massachusetts for years, and now in Kansas, Iowa, and wherever prohibition shall hereafter succeed, national law is permitted to save the accursed traffic, and nullify laws enacted by the States for the preservation of their people?

Nor is prohibition of the sale of alcohol the only end to be attained by national action. The suppression of the manufacture of alcohol for hurtful purposes is logically the first step, and practically an indispensable one to the reform. This truth is coming to be understood, and everywhere the prohibition of the manufacture as well as sale for use as a beverage is demanded. The objection that the manufacture cannot be stopped is seen to be absurd when the attempt is actually made. It is much easier to control manufacture and distribution in the distilleries and breweries of the country than to control the sale in the hundreds of thousands of saloons and dram-shops, as well as authorized agencies to which the "original package" is now transported by national law. Every place of manufacture is now under the strictest supervision of national law in order to collect the nation's share of blood-money. Surely it would be comparatively easy to authorize only the manufacture, transportation, and sale for beneficial use, and by a proper system to trace the product of the manufacturer to the duly authorized agencies of States, cities, and towns, for retail consumption, as now provided in all State prohibitory laws.

Prohibitory laws have already attempted with considerable success the most difficult work, which is that of controlling the sale. What might not be done if the manufacture also were within reach of the law throughout the whole country? But the

entire power of the traffic can easily be concentrated in a few States or in a single State, and hence in the absence of national prohibition it is only necessary for it to retain possession of a single locality in order to preserve the market of the whole. Although an alert public opinion might partially enforce State laws for a season, it is quite evident from past experience that in time the enemy would again come in like a flood. The drinkward tendencies of the Caucasian race, notably of our own branch of it, will conquer any but the most wise, comprehensive, and far-reaching legislation, which shall by its good results forever create and reënforce that overwhelming public opinion which wages perpetual war through the judicial power against all forms of crime. Although great good might be accomplished by prohibitory Congressional legislation in the Territories and the District of Columbia, still, the only national law which can radically remedy the evils of alcoholism must be enacted by an amendment of the Constitution of the United States, to be supplemented by appropriate statutes for its enforcement. The submission of such an amendment, prohibiting the manufacture, sale, importation, exportation, and transportation of intoxicating liquors for use as beverages, to the people of the States for their ratification or rejection ought not to be opposed by any party organization. If the Republican and Democratic parties were so far to respect the temperance sentiment of the country as to perform this act of deference to the theory of our institutions, they would be consulting their own peace and the integrity of their respective organizations. It is very evident that a vast mass of the voters of the country are prepared to break from old party affiliations unless they find within the organizations to which they now belong an honest purpose to prohibit the traffic in alcohol by both State and national law, or at least to take the sense of the people on that subject. The nominees of no party will receive their support in the next Presidential campaign which does not explicitly pledge itself to submit by Congressional action such a prohibitory amendment to the people in the ordinary method of amending the Constitution.

This condition of things may not seriously embarrass the Democratic party, but even that party will find, in the Southern States especially, a spirit abroad among the people of which its leaders may little dream. Unless the Republican party leaders are blind and given over "to believe a lie to the end," they will

take up the standard and move forward. The Republican party will not sit on the fence much longer. The masses of the people in it, and a very large majority of the virtue, intelligence, and wisdom of that party believe in the prohibition of the liquor traffic, and these elements will get down on the right side of the fence very soon. The fence is not an easy seat, and those who desire effective action cannot, or at least will not, wait much longer for their former associates in contentions which are passing away to make up their minds upon the liquor question. It ought not to require much thought or time for a Republican to decide that the people should have an opportunity to amend the national Constitution if they please.

If the leaders of the Republican party fail seasonably to comprehend this, I fear that they will find themselves retired or their party defeated—one or the other, and perhaps both—when the votes are counted in national elections not far remote. What the Republican party most lacks now is the courage of its own convictions. Its convictions are strong enough, and the path of duty is clear enough. We cannot dally and delay forever. Courage and resolution alone are necessary in the future as in the past. Losses in one direction will be made up by enthusiastic and permanent gains, and still greater losses from the very heart of the party will be prevented.

It is better for the country that the votes of foreign nationalities at the American polls should meet an issue upon which they can themselves divide. Upon discussion of this issue the Irishman and the German will in due time demonstrate that they are Americans. When the temperance element of the Republican party goes out of it, the party will be dead. Its soul will be gone and its body offensive. I believe that the following form of a proposed amendment to the Constitution of the United States will commend itself to the common sense of the American people. It is taken from a speech delivered in the House of Representatives December 27, 1876:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid when ratified by the Legislatures of three-fourths of the several States, as provided in the Constitution:

"ARTICLE —.

"SECTION 1. From and after the year of our Lord 1900 the manufacture and sale of distilled alcoholic intoxicating liquors, or alcoholic liquors any

part of which is obtained by distillation or process equivalent thereto, or any intoxicating liquors mixed or adulterated with ardent spirits or with any poison whatever, except for medicinal, mechanical, chemical, and scientific purposes, and for use in the arts, anywhere within the United States and the Territories thereof, shall cease; and the importation of such liquors from foreign states and countries to the United States and Territories, and the exportation of such liquors from, and the transportation thereof within and through any part of this country, except for the use and purposes aforesaid, shall be, and hereby is, forever thereafter prohibited.

"SEC. 2. Nothing in this article shall be construed to waive or abridge any existing power of Congress, nor the right, which is hereby recognized, of the people of any State or Territory to enact laws to prevent the increase and for the suppression or regulation of the manufacture, sale, and use of liquors, and the ingredients thereof, any part of which is alcoholic, intoxicating, or poisonous, within its own limits, and for the exclusion of such liquors and ingredients therefrom at any time, as well before as after the close of the year of our Lord 1900; but until then, and until ten years after the ratification hereof, as provided in the next section, no State or Territory shall interfere with the transportation of said liquors or ingredients, in packages safely secured, over the usual lines of traffic to other States and Territories wherein the manufacture, sale, and use thereof for other purposes and use than those excepted in the first section, shall be lawful: *Provided*, That the true destination of such packages be plainly marked thereon.

"SEC. 3. Should this article not be ratified by three-fourths of the States on or before the last day of December, 1890, then the first section hereof shall take effect and be in force at the expiration of ten years from such ratification; and the assent of any State to this article shall not be rescinded nor reversed.

"SEC. 4. Congress shall enforce this article by all needful legislation."

The following general propositions were laid down as the basis of the argument on that occasion:

"In order to justify legislation of any kind restricting the manufacture and use of alcoholic liquors, I believe it to be necessary to maintain these propositions:

"*First.* That it is the duty of society, through the agency of government, which is the creature of society, to enact and enforce all laws which, while protecting the individual in the full possession and enjoyment of his inalienable rights, tend to promote the general welfare, and especially whenever that welfare is impaired or threatened by any existing or impending evil, it is the duty of society to enact and enforce laws to restrict or destroy that evil. It may be proper to observe that no law can promote the general welfare which deprives an individual of an inalienable right, when that right is properly defined, or which impairs the enjoyment thereof, whether of life, liberty, property, or the pursuit of happiness. But society has inalienable rights as well as individuals, and the right to such legislation as will promote the general welfare, in its true sense, is one of them; and the inalienable rights of individuals and the inalienable rights of society at large are limited by, and must be construed and enjoyed with reference to each other.

"*Second.* While society has no right to prevent or restrict the use of an article by individuals for purposes which are beneficial only, yet if that use, beneficial to some, is found by experience to be naturally and inevitably greatly injurious in its effects upon others and upon society in general, then it becomes the duty of society, in the exercise of its inalienable right, to promote the general welfare and in self-defense to social life, just as the individual may defend his natural life, to prohibit, regulate, or restrict the use of that article, as the case may require. This principle is daily applied in laws which control the manufacture and use of gunpowder, nitro-glycerine, dynamite, and other things of great and dangerous potency, the unrestrained use of which, even for useful purposes, has been shown by experience to be destructive to the inalienable rights of others. This results from the common principle of law that every man must so enjoy his own rights as neither to destroy nor impair those of another, and it is the great end for which government is instituted among men to compel him so to do.

"*Third.* No person has a right to do that to himself which impairs or perverts his own powers; and when he does so by means of that which society can reach and remove by law, to such extent as to become a burden or a source of danger to others, either by his example or by his liability to commit acts of crime, or to be essentially incapacitated to discharge his duties to himself, his family, and society, the law — that is, society — should protect both him and itself. A man has no more right to destroy *his* inalienable rights than those of another, or than another has to deprive him of his own. The laws restraining the spendthrift in the destruction of his inalienable right in property and punishing suicide (as the common law did, by forfeiture of estate, etc.), or attempted self-murder (as the law does now), are familiar examples of the application of this principle.

"These are elementary principles of law and of common sense. They are corner-stones of all just government. To these principles every member of society is held to have given his assent. They are unquestioned, so far as I know, by any one who believes in any law. They are axiomatic and indestructible as the social organization itself.

"*Fourth.* The use (unless medicinally) of alcoholic liquors to the extent of intoxication or poisoning — which, as will hereafter be seen, is the same thing as intoxication — is an injury to the individual; it inflicts great evils upon society at large; it is destructive to the general welfare; it is of a nature which may be greatly restricted if not destroyed by the enforcement of appropriate laws; consequently such laws should be enacted and enforced; and this should be done in our country, either by the States or by the General Government, or by both, if such laws can be made more efficient thereby."

The above form of amendment to the Constitution may lack somewhat in radical scope; and the briefer forms, taking effect at once and including distilled and fermented drinks in the same provisions, which have been adopted in Kansas and Iowa and proposed to be added to the constitutions of other States, may be preferred.

This, however, has commended itself to my own judgment as one which could be enacted by this generation and as likely to work out in its practical administration the full measure of reform which national action can accomplish. The slave trade was abolished by a constitutional provision which took effect twenty years after its adoption. Had its provisions been made operative at once, the whole Constitution would have been defeated. There are reasons why an amendment will be found difficult of ratification in three-fourths of the States, which denies local option to the States in regard to light wines, cider, and fermented drinks; even in Maine the pronounced friends of prohibition fear to ask an amendment of the constitution of their own State which shall forbid the manufacture and sale of domestic cider. The form above submitted frees the State from the shackles of Federal power so far as non-distilled liquors are concerned. The power of the State to prohibit is in every respect enlarged and reënforced, and in none curtailed.

There may yet be developed a public sentiment which will apply the same rule of absolute and immediate national prohibition to all forms of intoxicating poison. The continual public discussion of a national measure is a national notice to the maker and dealer to quit. Any amendment of the national Constitution, which sets the State free to control the traffic within her own borders, would be a great advance. Until at least this is done, the war must go on, and public sentiment is likely to become more rather than less determined in dealing with the curse of alcohol.

HENRY W. BLAIR.

THE DAY OF JUDGMENT.

PART II.

In reading Mrs. Carlyle's letters, it should always be remembered that we gather into a day the petty perplexities, the domestic torments, of forty years. The impression produced upon the reader is entirely different from the actual repression of her life. So far from proclaiming her trials, it was her unwisdom to conceal them too much. Her habit — which Carlyle uses, and has a color of right to use, in self-defense, and which Froude freely presents in his favor — was so studiously to hide from him the anguish which he cost her that he did not suspect its existence. This is no valid plea, because he wrested this very silence to his own destruction by charging it to her want of care about household matters. "Alas! can that need to be said? Insane that I was!" he moans in the stern awakening of death. But the letter in which she wrote it was addressed to him; and he read it in life, in her life as well as his, without remorse, without feeling, without notice. Guilty as he was for not knowing her sadness, it seems certain that he did not know it.

In reviewing the notes containing her planning and counter-planning to meet his caprices, and to take advantage even of his roughnesses, "Alas!" he cries, "how little did I ever know of these secret wishes and necessities — now or ever!"

"She flickered round me like perpetual radiance." "Her intellect was clear as starlight, and continued so; the clearest intellect among us all." "She shone round me like a bright aureola when all else was black and chaos." "At lowest," he bears witness, "nothing unpleasant was ever heard from her. All that was gloomy she was silent upon, and had strictly hidden away." "She was weak, weak,— far weaker than I understood. But to me she was bright always as stars and

diamonds. Nay, I should say a kind of cheery sunshine in those otherwise Egyptian days."

In fact, household and petty cares did not disturb her. She was a natural housekeeper. She made no clamor herself about work. It was his clamor that destroyed her peace. "Now that I do not see you driven desperate with the chaos, I can take a quiet view of it. . . . I clean beautifully when you do not dishearten me with hypercriticism. Try all that ever you can to be patient and good-natured with your Goody, and then she loves you and is ready to do anything on earth that you wish. But when the *signor della casa* has neither kind look nor word for me, what can I do but grow desperate and fret myself to fiddle-strings?"

"With no husband to study, housekeeping is mere play." It was his violent, unreasonable, unending exactions that broke her down; his heartless, reckless, personal indifference to herself that wrecked her life. He must be alone by day, because otherwise he could not write. He must be alone by night, because otherwise he could not sleep. When he worked, he could bear no one in the room; when he walked or rode, he could bear no one at his side. She was loth to see it. When she found he did not care for her singing and playing, she merrily consoled herself with imputing the blame to his want of taste rather than her want of skill. So far from being quick to take offense, she was slow, reluctant,—eager to forgive. Her letters are playful, tender, caressing, long after terrible misgivings are revealed. She wore away in solitude because Carlyle plunged away from her.

"Carlyle," she says to his mother, on the bleak top of the Craig, "never asks me to go with him, never even looks as if he desired my company." He had forbidden her mother on the plea that he wanted her all to himself. He had dragged her from London, where she was a toast, and set her to scrubbing and solitude, while he cultivated his genius. No competent servant, unmarried to Carlyle, would come to their Bleak House, so he used his wife's superior intellect simply to grind him out a superior quality of oatmeal. And she never flinched. He betrayed her, utterly, persistently, remorselessly, in her highest, holiest, tenderest nature; but she kept faith with him and with herself. He went through the form of kissing her good-bye with a lighted cigar in his mouth, and she forgave him. His service was a

harsh and menial slavery where she had looked for high sympathy; it was aloneness where she had counted on companionship; it was a tempestuous clamor for incidentals where she had been solemnly pledged to the essential; it was a demanded, constant, and unacknowledged sacrifice of her, and a constant, claimed, and compassed self-indulgence for him, and she stood firm. She failed of her expected and fitting guerdon, but she never failed in her service. She failed in the result, but she never failed in the effort.

Her mistake lay in imagining her servitude imperative. While she was dragging her life over three pairs of stairs, she was dazing her brains with fear lest she should be sick and not able to go over the stairs at all. Idle fears: Carlyle would have been just as well off if she had not gone over the stairs at all. It would have been for the good of his soul, if she could have looked at his midnight wanderings with the same coolness as the moon-calf who asked her, if "Mr. Carlyle bees ony uneasy through the nicht and 's ga'an staiveren aboot the hoose, will ye bid him gie us a cry at five in the morning?" It was much wiser to make Mr. Carlyle consume his own smoke, by calling the maid at five in the morning, than to permit him to consume his wife's spirit to no purpose whatever. When Carlyle left her to do the house repairing alone and betook himself to Scotland, it was not ill, since he was out of the way to hinder as well as help. When, after three months of workmen, it was finished, and he came back to order and cleanliness and, after three days' enjoyment of it, rose up to inform heaven and earth that all was wrong, and the carpenters must be brought back and chaos be reinstituted, it was still not ill. Here a woman of more robust wisdom than Mrs. Carlyle would have shone as the stars for ever and ever, because she would have said sweetly to the raging genius: "Yes, dear, and now is your turn. I have taken mine. Arrange everything just as you please, while I take a three months' trip to Scotland." Genius may be a form of insanity, but insanity is amenable to law.

"You certainly would be better," argues the unvalued wife, painfully relinquishing or showing that she has relinquished all aspiration for companionship in her husband's intellectual life, "for me to stand between you and this new servant. . . . You must give your orders in simple, unfigurative speech, and one after another. If you were to tell her in the same breath three

things to be done, she would fly at them all at one time and spin round on her heel simply."

Here was a golden opportunity which the perfect, the ideal, wife would have turned to Carlyle's spiritual and eternal good. If instead of following him with minute instructions she had let him take his own course, he might have dined on the logical consequences, to the edification of his character, if not his digestion. When the wife's weary hands were folded in their final rest, the fastidious husband did not die. Whatever may have been the flavor of his chops or the condition of his stomach, he lived many years of cheerful and ruddy health. He might just as well have done without her drudgery in her life as in her death. She feared that his frightful impatience with any new servant, untrained to his ways, would drive a woman out of the house with hair on end, if allowed to act directly upon her. But it would have been wiser to let his frightful impatience drive a procession of women out of the house, until starvation should have taught the prudence of self-control; since the only effect of Mrs. Carlyle's constant standing between, to gather the spears into her own breast, was her own prolonged death-wound, and Carlyle's posthumous annotation, "Oh, heavens, the comparison! It is too true!"

Intellectually she could and practically she sometimes did give as sharp cut and thrust as Carlyle himself. One seldom gets from one's dearest foe a cleaner, keener satire than she dealt to her husband at Dingwall.

"For the rest, in spite of all objections, 'for the occasion got up,' I dare say you are pretty comfortable. Why not? When you go to any house, one knows it is because you choose to go; and when you stay, it is because you choose to stay. You don't, as weakly amiable people do, sacrifice yourself, for the pleasure of 'others.' So, pray, do not think it necessary to be wishing yourself at home, and 'all that sort of thing' on paper. 'I don't believe thee.' If I were inclined to, I should only have to call to mind the beautiful letters you wrote to me during your former visit to the Ashburtons in the Highlands, and which you afterward disavowed and trampled into the fire!"

"Lady Ashburton is very kind to offer to take me back. Pray, make her my thanks. . . . If you go back with the Ashburtons it would be different, as then I should be going merely as part of your luggage, without self-responsibility. Settle it as you like, it will be all one to me, meeting you at Scotsbrig, or in Edinburgh, or going by myself from Thornhill."

On a journey home, her husband had insisted on her sitting in a violent draught all the way—the same husband who so

properly counseled his Brother James to "Do nothing that is selfish"; in consequence of which he had to record "a sad, sick winter awaited my dear one," which sad, sick winter made such an impression on his dear one that, two years afterward, she refused to join him because she might need to have a window shut when he preferred it open!

A woman who could remember so long and write so keenly could not have been altogether and at all times a comfortable woman for an intensely selfish man to live with. If, instead of suffering at the time and satirizing afterward, she had at the beginning quietly, resolutely, immovably resisted his will, gently instructed him in the rudiments of manly behavior to woman, and so developed the germ of love which unquestionably lay sleeping in his bosom, it would have been as much better for his character as for her happiness. Mr. Froude, at the outset, relinquishes the idea of happiness in the Carlyle marriage, and upholds it only on the stern ground of discipline. But it is impossible to see that the character of either was improved by the discipline. It is impossible not to see that the character of both was injured by selfishness on one side and submission on the other, and the experience is not changed in its nature by being baptized as discipline. Under cover of discipline are cloaked often enormous domestic crimes. Discipline is the ready verbal subterfuge when selfishness would escape condemnation. But we are taught to pray, Thy will be done on earth as it is in heaven. In heaven it is done with rejoicing, harmony, happiness, not with tears and anguish and the crucifixion of every pleasure and aspiration. God's will is done on earth always. We cannot help it. But it is done with unspeakable woe. Jane Carlyle did it with pain and toil and tears, with the neglect, the harshness, the insult and the exactions of her husband. If God's will had been done on earth as it is in heaven, she would have been a cheerful, loving, and happy, as she was a faithful, patient, and disappointed wife. The Day of Judgment may yet open far enough to show us the beneficent consequence of all this unhallowed caprice and undeserved wretchedness, but as yet it is invisible. The recognized principles of human life testify that no woman can serve her husband so well in a servile as in a commanding position. No man can be so much benefited by a wife to whom he looks down as by one to whom he looks up.

Mrs. Carlyle injured her husband. Her self-surrender nourished in him the violence, the unreason, the arrogance, the injustice, the insensibility which should have been annihilated. There is no sign that a single fault of his grew less under her tutelage. The very virtue for which he is praised he owed to the coldness of his temperament. He apparently never resisted a temptation. The vices to which he was inclined he indulged in without restraint. In calm and solitude his conscience sometimes stirred; but when occasion offered, his violent self-indulgence crowded it down. Occasionally a rift in the selfishness which beclouded him made him ask himself, if he were not too contemptuously indifferent to those who were not forwarding him in his course, "his own private discontent mingling considerably with his zeal against evil-doers." "On the whole," he asks himself in such a lucid moment, "art thou not among the vainest of living men? at bottom among the very vainest?" In the midst of his vociferations against Jeffrey, he suddenly checks himself. "Merely as if he were not kind enough to me. Is he not kinder than most other men are? Shame on me!" "But oh, my dear Jeannie, do help me to be a little softer, to be a little merciful to all men, even gigmen. Why should a man, though bilious, never so nervous, impoverished, bug-bitten, and bedeviled, let Satan have dominion over him? Save me, save me, my Goody! It is on this side that I am threatened!"

She should have heeded this piteous appeal. On this side she should have helped him—to crucify his enormous conceit and selfishness, not to compass and indulge them. It is these occasional glimpses—rare and unfruitful as they are—which show us that Carlyle was not wholly given over to Satan, even during Mrs. Carlyle's life. Generally he was. Satan desired to have him and he had him.

She injured herself. In her eagerness to spare his bearish humors, she spoke harshly to her own mother, and bore the expiation till her death. In sympathy with him, she, the gentlest and most loving of women, learned to judge censoriously, to sneer at great causes, to sprinkle her talk with unseemly words. But it never went deep, to poison the springs of life. Her lovingness remained. Her gentle, tender, radiant nature responded to all sweetness and warmth. In the anguish of her last years she turned to her Maker with pathetic humility; and when her

husband's deep-buried heart was reached by her sufferings, and he became aware of her and kind, she thrilled with the new sensation as the earth answers to the sun.

The one reason which relieves her servitude from weakness is, that she thought his health demanded and his genius justified her sacrifice. And, indeed, he roared so lustily over his maladies that a more experienced woman than Mrs. Carlyle might be excused for supposing them real; while his genius was in truth sufficient to justify the sacrifice of everything but character. But his maladies were more than doubtful. Froude openly scoffs at his dyspepsia. In 1860, when he was sixty-five years old, sleeplessness was such a novelty to him that he could only express his impatience at it by jumping violently out of bed, though, says the anxious wife, "that sound overhead used to set my heart a-thumping to such a degree that I couldn't get another wink of sleep, and I was on the brink of a nervous fever when he left." "Poor loving soul!" annotates the sorrowful husband, reading the pitiful record after he had thumped her through the Valley of the Shadow of Death.

Carlyle's miseries are usually grotesque, even when his own retrospective review of them is thoroughly sincere and solemn. Enthusiastic praise, for him, is, "I did not fare intolerably there at all." Twinges of shame for his multifarious wailing over his ill health rarely appear. "By this time she must be beginning to know," he says, with a certain shamefaced brazenness, after having roused his mother's deep anxiety, "that when I shout 'Murder!' I am not always being killed,"—which his wife could never learn. "Bad health, too," he pleads again, and then, with a simultaneous gleam of self-knowledge and of self-defense against it,—"at least singularly changed health!" Intolerable suffering, rage, almost despair, was the result of his having to sit on a jury. "Carlyle returned from his travels very bilious," his wife writes gayly. "The amount of bile he does bring home to me is something 'awfully grand.'" "Carlyle," she writes again in equally merry mood, "has fallen to no work yet; but is absolutely miserable, nevertheless." He suffered unutterable things in Wales on account of his tea. In Germany he was half dead with "indigestion, insomnia, and continual chaotic wretchedness," whatever that may be. Indeed, most of Carlyle's ills take on a certain grand and cosmic character. His bootless carpenter's hurly-burly was "a kind of infer-

nal miracle; my first view of the Satan's invisible world that prevails in that department." His "lecture times" were "the vilest welter of odious confusions, horrors, and repugnancies." His new room was "work of Belial," and caused him "manifold reflections deep as Tophet," definable only as "the least inhabitable, and most entirely detestable and despicable bit of human workmanship." The poor workmen, "for real mendacity, for drunkenness, greediness, mutinous nomadism, and anarchic malfeasance throughout, excelled all experience or conception." In short, he had at all times through life the solid comfort of bellowing like a bull of Bashan against its ills. He should not have been taken too seriously. The whole creation soured on his stomach; yet ten years after his wife was in her grave, Lord Ronald Gower reports him as "wonderfully hale and hearty for fourscore, his cheeks as ruddy as those of a charity-school boy, in force and in good spirits, his talk full of grist and humor," which shows how sanitary an act is bellowing.

The publication of these tell-tale letters, with all their remorseful confessions and annotations, are not the atonement for life-long sin which some would fain believe. They speak as strongly of Carlyle's lack of delicacy as of his love of truth. Death was indeed to him a great and terrible revealer. He saw as he had never seen before; but even then his long blindness made him see men only as trees walking. He repented as far as he saw, but he only saw through a glass darkly.

Significant is the difference between the accounts given by husband and wife of the same event. Unquestionably Carlyle meant to tell the truth. Rent with remorse, in his desolated home, he even meant to tell the truth against himself, and doubtless the penance ministered to him a bitter consolation. Yet human nature was strong in him and often he gave unconsciously a softer touch to his own portrait than the life permitted. He describes a visit to Lady Sandwich. "We staid some twelve or more days, which, except for my own continual state of worn-out nerves, were altogether graceful, touching, and even pleasant. . . ." Needless to say, his nerves were not worn out. They were in good preservation and stood him in good stead a score of years longer. But what says Mrs. Carlyle?

"For the rest I should have enjoyed this beautiful place excessively if Eve hadn't eaten that unfortunate apple,—in result of which there has ever since been always a something to prevent one's feeling one's self in paradise.

The something of the present occasion came in the form of lumbago! not into my own back but into Mr. C.'s, which made the difference so far as the whole comfort of my life was concerned. For it was the very first day of being here that Mr. C. saw fit to spread his pocket-handkerchief on the grass just after a heavy shower, and sit down on it for an hour and more in spite of all my remonstrances!! The lumbago following in the course of nature, there hasn't been a day that I felt sure of staying over the next, and of not being snatched away like Proserpine, as I was from the Grange last winter. For what avail the 'beauties of nature,' the 'ease with dignity' of a great house, even the hero worship accorded one, against the lumbago. . . . 'Lumbago, my dear, it is good that you should know in time, admits of but one consolation,—of but one happiness! viz., 'perfect liberty to be as ugly and stupid and disagreeable as ever one likes!' And that consolation, that happiness, that liberty reserves itself for the domestic hearth! And so all the ten days we have been here, it has been a straining on Mr. C.'s part to tear his way, through the social amenities, back to Chelsea,—while I have spent all the time I might have been enjoying myself in expecting to be snatched away."

This is somewhat less "graceful, touching, and even pleasant" to Mrs. Carlyle in the experience than to Mr. Carlyle in the retrospect. But "the lumbago, indeed, I have entirely forgotten," says this philosopher of the easiest minor morals. He is not without a certain jaunty repentance. "It seems, by this letter," —he has no personal conscience of sin, but he gives in to documentary evidence!—"I was at times a very bad boy; and alas! my repentant memory answers too clearly, 'Yes.'"

When the "demon fowls" made the "sound-proof room" too noisy to be borne, Carlyle remembers only some thirteen years after that she came to him and proposed go to Ronca and rent the cottage outright, and "turn Ronca with his vermin out of it." "I looked at her with admiration, with grateful assent, 'Yes, if you can,' which I could only half believe." But in her letter contemporary, Carlyle's grace and gratitude find no record. She was nearly recovered from an accident, "when Mr. Carlyle came to me one morning, all of a sudden, and told me I must go up to London myself and take charge of some business—nothing less than trying to take the adjoining house ourselves. . . . I thought it a most wild-goose enterprise. I was sent on; and when Lady Ashburton and the others asked him why he sent poor me instead of going himself," he coolly answered, "Oh, I should only spoil the thing. She is sure to manage it." The contemporary document is more credible than the subsequent verbal report. Carlyle did not mean to give a false

report, but he instinctively shrank before the revealing light of his newly awakened conscience.

He tries to persuade himself that "Geraldine's Craigenputtoch Stories" are "mythical"; that the washing of the kitchen-floor "was probably as much a joyous half-frolic as of anything else"; "that of milking with her own little hand . . . must have had a spice of frolic or adventure in it." He well remembers her bringing in her first loaf of bread, late at night (eleven or so), "looking mere triumph or quizzical gayety." "In fact, the saving charm of her life at Craigenputtoch, which to another young lady of her years might have been so gloomy and vacant, was that of conquering the innumerable practical problems that had arisen for her there." "I do not think our days there were sad," continues his remorseful conscience, kicking against the pricks, "and certainly not hers in especial, but mine rather." And then he gives one final spasm. "We were not unhappy at Craigenputtoch; perhaps these were our happiest days!"

Alas! Geraldine's myths were truer than Thomas's misgivings. There is no more dangerous frequenter of a selfish man's house than a clear-eyed unmarried woman. She has no Blue-Beard's skeleton in her own closet to force her to hide his, from sheer sympathy. Geraldine's mythical recollections are fortified by facts. Over the graves of husband and wife flutters a letter which effectually extracts all the frolic and the charm from "that savage place where my two immediate predecessors," says Mrs. Carlyle, "had gone mad, and the third had taken to drink," and shows us the weary wife, watching her bread till one, two, three o'clock in the morning, and then laying her head on the table and sobbing aloud. She conquered. She conquered everything but Carlyle and death. In death she even conquered Carlyle. But it was no frolic.

Nor is Carlyle perfectly candid. This is much to say of Carlyle, and shows the extremity to which he was reduced. Nevertheless, it must be said that he is not perfectly candid. In his "Reminiscences," written a few weeks after his wife's death, he muses:

"In 1856, owing to many circumstances, . . . and owing chiefly, one may fancy, to the deeper downbreak of her own poor health, . . . in 1856 too evidently, to whatever owing, my poor little darling was extremely miserable. Of that year there is a bit of private diary, by chance left un-

burnt . . . Certain enough, she wrote various bits of diary and private record unknown to me; but never anything so sore, down-hearted, harshly distressed, and sad as certain pages (right sure am I!) which alone remain as specimen."

From this diary he made extracts for publication — extracts which reveal her pain, but conceal the cause of her pain. Whereon advances fate, disguised as Froude, and says, sternly: "There ought to be no mystery about Carlyle, and there is no occasion for mystery," and clears it all away by further extracts which abundantly and painfully show that it was Carlyle's attention and assiduity to Lady Ashburton, set off against his long indifference, neglect, and harshness to his wife which caused her acute distress. It was not her health, and Carlyle knew that it was not her health. It was her husband. She had no vulgar jealousy. She was jealous as the Lord Almighty was jealous, who saw the children of Israel turn from Him who had brought them out of the house of bondage with a pillar of cloud by day and of fire by night, to prostrate themselves before a golden calf. Miss Jewsbury says, "Any other woman would have laughed at Mr. C.'s bewitchment with Lady Ashburton." An inferior woman might have laughed. A worldly woman, who cared only for appearances, might have laughed; but not a high-souled woman who had staked all on the nobleness of one man's nature.

Unaware that Froude would find him out, Carlyle mourns for Lady Ashburton publicly and decorously. "The most queen-like woman I had ever known or seen. The honor of her constant regard had for ten years back been among my proudest and most valued possessions. In no society, English or other, had I seen the equal or the second of this great lady that was gone." He does not lisp a syllable and he did not dream that Froude would lisp a syllable to show us that, while he was dancing attendance on this great lady, who never did anything but amuse herself with him, not her second, but her equal was sitting in her solitary prison-house mending his vile old boots, dying of his long neglect. After her death the judgment. Then he cries in anguish to Froude: "Oh! if I could but see her for five minutes, to assure her that I had really cared for her throughout all that! But she never knew it; she never knew it." He had forty years in which to tell her. He prized and valued Lady Ashburton for the whole ten years he had known her. Lady Ashburton did not doubt his regard. But his wife lay cold in death before he

could snatch five minutes to assure her of what should have been the twice-told tale of every moment of his life.

The dead wife had her revenge when, four months after her death, at Addiscombe, in the room which had been Lady Ashburton's, he finished the reperusal and study of all her letters, and for the first time that sad, pale, patient, wrecked, and wretched life lay outspread before him, till he "realized the continual grinding wretchedness of it," and his own selfish, stalwart sin rose up to meet him. Perhaps heaven was kind in letting him think that rocks and mountains could hide him from the condemnation of men; in letting him for a time be partially hidden from his own accusing conscience. If he had come out absolutely without shelter, into the full glare of his Day of Judgment, he must have gone stark blind. That he did not, the publication of these papers proves. He is candid, ingenuous, noble to a considerable, even to a remarkable degree. In sackcloth and ashes, before all the people, he repents. But he is also human, and he first reduces his sins to their lowest terms. If he had more clearly perceived their enormity he would have kept them out of sight. They were not committed publicly. There was no call for public expiation. She had jealously hidden them. Even when she wrote of them to her friends, it was under a concealing veil of banter. She persisted in regarding it as a case of genius complicated with bile. He had it all in his own hands. He carefully read and annotated all the letters. He might have suppressed much that was damning to himself, that would have been shudderingly offensive to her. Delicacy would have dictated it; truth would not have forbidden. He could have relieved his own conscience and not have betrayed the jealously guarded secret of her life. He could have confessed all, yet divulged nothing, without the specific testimony of her letters and her papers, over which he had absolute legal not only, but moral control. He did try, though fruitlessly, to suppress the Lady Ashburton episode. He would have done his wife no injustice. Without specifying his household sins, her monument could have been made as stately and as enduring. But his eyes were blinded, his hand was holden. Fate, called Froude, received the power as it left his dying grasp, and the world has such a lesson as it will not soon forget.

Who shall say through what mercy of heaven it was vouchsafed to Carlyle to waken from his lethargy some months before his wife's death, to feel for her a thrill of natural pity, to show

to her somewhat a husband's sympathy. Her excruciating anguish penetrated to the deep places where abode his soul; slowly, slightly, he did lift his head from the "Friedrich mud element," in which he had been wallowing. His brusque and brutal footsteps were hushed to quiet. On the dark pages of his obstinacy and cruelty lay a gleam of light. "I cannot tell you," says the sufferer, happier in his unwonted kindness than health could make her in his savagery, "how gentle and good Mr. Carlyle is. He is as busy as ever, but he studies my comfort and peace as he never did before."

Like a ray of hope to the despairing came those few simple words to the wretched husband, who might have found her letters blinding with such sweet rays. "I have a kind of notion," he writes "(beautiful to me and sad exceedingly), she was never as happy again, after that sunniest youth of hers, as in the last eighteen months and especially the last two weeks of her life, when, after wild rain deluges and black tempests many, the sun shone forth again for another's sake with full, mild brightness, taking sweet farewell. Oh, it is beautiful to me, and oh, it is humbling and it is sad! Where was my Jeannie's peer in this world? and she fell to me and I could not screen her from the bitterest distresses! God pity and forgive me!" God forgive him chiefly for this, that he could have screened her from the bitterest distresses and did not—caused them, rather!

His life-long neglect gathered itself to attention during that last brief, sane interval, and he forced upon her failing strength the luxury of a carriage—which, alas! in the irony of fate became her coffin. "It is the mercy of heaven to me, the rest of my life," he cries, in a surprised agony of joy. "And why was it not undertaken years before? . . . It was an inestimable mercy to me that I did at last throw aside everything for a few days and actually got her that poor brougham. Never was soul more grateful for so small a kindness, which seemed to illuminate, in some sort, all her remaining days for her. It was, indeed, useful and necessary as a means of health, but still more precious, I doubt not, as a mark of my regard for her. Ah, me! she never knew fully, nor could I show her, in my heavy-laden miserable life, how much I had at all times regarded, loved, and admired her. No telling of her now. Five minutes more of your dear company in this world. Oh! that I had you yet for but five minutes, to tell you all!"

He mistook the ability of his miserable life, but the regret was sincere. It is what prevents him from being a moral monster. The sacrifice was complete, but it was not in vain. In the solitude of death he heard the voice of God, and he did not hide himself. He saw his sin, and he repented. In his surly and stormy breast a heart began to grow and glow. In all literature I know nothing more beautiful, more heart-breaking than the simple words which voice his dawning love, his undying lament. The very egotism whose looming proportions had darkened her life helped now to illuminate its worth. A less child-like heart would have nourished its love in silence. But he had no misgiving that his newly awakened tenderness might be a less interesting revelation to the world than to himself, nor is it. The weaknesses, even the babble of such a genius as Carlyle is more significant than the highest wisdom of ordinary minds. And babble it sometimes was. Dickens never conceived or Mrs. Gamp uttered more comical incongruities than Carlyle pens in perfect good faith. With his juvenile perspective he appeals as remorsefully to heaven, because she only took hot water when he took tea, as if his habit and purpose had been to starve her. But the babble is as nothing compared to the unutterable pathos:

'I doubt if I ever saw a nobler human soul than this which (alas! alas! never rightfully valued till now) accompanied all my steps for forty years. Blind and deaf that we are! oh, think, if thou yet love anybody living, wait not till death sweep down the paltry little dust-clouds and idle dissonances of the moment, and all be at last so mournfully clear and beautiful, when it is too late!

"I was rich once, had I known it — very rich; and now I am become poor to the end.

"Oh, my dear one! sad is my soul for the loss of thee, and will be to the end, as I compute! Lonelier creature there is not henceforth in this world; neither person, work, nor thing going on in it that is of any value in comparison, or even at all. Death I feel almost daily in express fact,— death is our haven,— and have occasionally a kind of kingship, sorrowful but sublime, almost godlike, in the feeling that that is nigh. . . . Oh! my dearest, my dearest! that cannot now know how dear.

"Weak little darling, thy sleep is now unbroken; still and serene in the eternities (as the Most High God has ordered for us), and nobody more in this world will wake for my wakefulness."

Faintly, as his Day of Judgment dawned upon him, dawned also upon his darkened mind the consciousness of his wife's

superiority. It is his salvation that he was not disobedient unto the heavenly vision.

"In my life I have seen no human intelligence that so genuinely pervaded every fiber of the human existence it belonged to.

"My noble one! I say deliberately her part in the stern battle — and except myself none knows how stern — was brighter and braver than my own.

"Never in my pretended superior kind of life, have I done, for love of any creature, so supreme a kind of thing. It touches me at this moment with penitence and humiliation, yet with a kind of soft religious blessedness.

"As to 'talent,' epistolary and other, these letters, I perceive, equal and surpass whatever of best I know to exist in that kind. . . . Not all the Sands and Eliots and babbling *cohue* of 'celebrated scribbling women' that have strutted over the world in my time could, it seems to me, if all boiled down and distilled to essence, make one such woman."

To respect all women a man must first learn to respect one woman. It took forty years of closest association to make Carlyle aware of one woman who did not scribble. It is little that the evil spirit of unbelief made vain, though vicious, clutches at "scribbling women," as it came out of him.

"Her little bit of a first chair, its wee, wee arms visible to me in the closet at this moment, is still here, and always was. I have looked at it hundreds of times, from of old, with many thoughts. No daughter or son of hers was to sit there; so it had been appointed us, my darling. I have no book a thousandth part so beautiful as thou; but these were our only 'children'— and in a true sense, these were verily ours.

"God reward thee, dear one! now when I cannot even own my debt. Oh, why do we delay so much, till death makes it impossible?"

Carlyle's tardy but enthusiastic appreciation of his wife's intellect was not the partial and worthless judgment of a too late aroused and morbid affection. It is founded on the indisputable facts of her history, which only a colossal self-absorption and self-conceit hid so long from his eyes; on indubitable gifts of her nature, crushed so heavily under his hand.

It is not simply that her slight, fragmentary writings show discrimination, originality, the vision and the faculty divine. It is not simply that she read, criticised, and appreciated Carlyle. Her life was lofty. Her moral plane was immeasurably above Carlyle's. Her intellectual forces were far more accurately poised. Her human insight was keener and clearer. While Carlyle clamored through the amazed earth for his right relations with the universe, Mrs. Carlyle calmly and silently adjusted her visible relations with time and with Carlyle. While Carlyle

was clattering in all ears the stern command to be rigidly virtuous, Mrs. Carlyle was quietly, in the devil's name, being virtuous, and no more about it. Carlyle spent a long life of the deepest fancied woe in explaining, enforcing, inculcating himself, under the mistaken idea, indeed, that himself was the universe. Mrs. Carlyle effaced herself, considering truly that her theory of the infinite was unimportant; while her discharge of the finite duty imported all. Carlyle was not content to become the best kind of man; but he made the poorest kind of god. Mrs. Carlyle, looking upward in her enforced low estate, discerned a truth of which Carlyle never dreamed — that it is not the victory, but the struggle which signifies. To man belongs the struggle. The victory is to the Power outside of ourselves which established the universe.

What Carlyle's lips prophesied, what his life belied, is taught with stern severity in his death. To a pressing and what to him was an irresistible philosophy, he sacrificed his nearest duty, and his philosophy was false. There needs no marvelous knowledge, no divine revelation for this judgment. Carlyle himself shall be the judge. "Without love there is no knowledge," he says, and thereby stands condemned. He had no love for humanity and the motive of human life escaped him. He loved his own notion of humanity. He loved the intellectual phantom of some remote phase of humanity; but men and women he did not love. He lacked that human sympathy which is essential to the comprehension of human character, to the interpretation of human action. His acute, massive, and splendid intellect was held in leash by an incredibly sluggish heart. It was the same in great things and in small — a woman, a nation, a pet. He stumbled along blindfold and blundering because he did not know what love alone could tell him. He lived beside his wife forty years and never discovered her till she was dead. Her little dog Nero gamboled about him till the faithful, fond life was crushed out, and Carlyle was utterly surprised to find that he missed him, that the want of him was anything but a riddance. A vast historic convulsion, the culmination of a national drama, one of the great movements of the world gathered and spent its mighty force before his eyes and he stolidly and sordidly saw in it only a vulgar squabble, a smoky chimney, fit theme for coarse characterization, "that beautiful nigger agony or civil war of theirs," "that thrice-abject nigger-delirium." Not till the elemental strife

had long been composed to peace, lapsing into tranquil and happy growth, did his torpid heart struggle up to his candid brain to arouse the suspicion that "perhaps there was more in that matter, after all, than I was aware of." If he had been a wise man he would not have taken fourscore years to learn that, while he was vexing the earth with his wild hunt for his right relations with the universe, the universe was rolling on just as unimpeded as if he had found them. While he was proclaiming the divine right of autocratic power, the individual was just as surely rising up and justifying his right to be as if Carlyle had been lifting him. He saw, and admitted that he saw, the great swell of the European wave breaking on the American shore and diffusing itself over the American soil more equably than any absolute monarch could have ordered it; and beneath that one wave alone, his philosophy was submerged. How the king shall come to his own, is not a vital question, because we see it was fore-ordained that the king come to his own. Popular election is a noble appeal to the manhood in every heart. It may fail; but its trial has scarcely begun and it can hardly fail more disastrously than the old ways. What is clear, what waits for no demonstration, is that no path is so proven as to warrant a man in violating all private obligations to thrust society into it. The road of modern christendom may be right or wrong; but no one has a right to sacrifice that for which he is responsible to that for which he is not responsible. The Day of Judgment has only dawned; but the dawn is light enough to show us that, while a man's relations to the universe are a high and worthy object of study, it is by his relations to his wife that he is to be justified or condemned. Universal truth is unknowable. This world is absolutely, though not equally unintelligible to all its inhabitants — the wisest as well as the weakest. No man by searching can find it out, though it is the noblest quest upon which a soul can enter, toward which it may constantly turn with unabated fervor, but with ever undisturbed and sacred calm. To strengthen every faculty upon it, to minimize every evil with it, is worthy of a man. To break one's heart against it is proper only to a weakling. To whelm other lives beneath it is the part of a lunatic or a fiend. For individual truth remains. Its stress is undeniable. It is personal duty. Its name is love. Its expression is helpfulness. Its instinct is unselfishness. It may go wrong, but it can never be wrong. It is in the line of all truth. It is under the law of all worlds.

It is a misuse of words to say that Jane Carlyle has her revenge. It is not a misuse of words to say that she has her vindication. Forty years long was this temple in building—forty long years without sound of hammer or axe, with no visible sign of architecture; and suddenly it rears its gracious majesty and purity forever to the skies. "Gone in her car of victory in that beautiful death" was the sad shadow of the radiant girl, and knew not that of her name and fame would be left even a shadow; and wheresoever the gospel of Carlyle shall be preached in the whole world, there shall also what this woman hath done be told for a memorial of her. What she had said in youthful gayety is the fulfilled prophecy of her warped and somber life: "Were you to look through a microscope, you might be puzzled to discover a trace of what I do. Nevertheless, depend upon it, my doings are not lost; but, invisible to human eyes, they 'sail down the stream of time into the ocean of eternity,' and who knows but I may find them after many days?" They are found after many days, for God is the only public opinion. The dreams of her aspiring girlhood in practical fulfillment, the gratification of every taste, the congenial occupation of every faculty could have built her no fairer monument than did her baffled, broken life. Like all mortals, she would have failed in accomplishment; now the imagination credits her with all it creates.

For Carlyle, the penalty outlives the sin. Upon his great genius lies the lasting stain of his ferocious selfishness. Forever and forever the bed-bugs of his household will crawl across the pages of his history to defile and defame. He is not destroyed; because, apart from the grandeur and fiber of his intellect, his character was so ample that, with all its deficiencies, a wealth remains. Jane Carlyle is not only vindicated in herself, but may be justified in her husband. Always, like Philip Ostrander dying in the forest, a future in his face returned her gaze. It is as if nature planned him on too large a scale, withdrew exhausted before her work was done, and intrusted his completion to the slow, agonizing process wherein another life was consumed. Created with an overpowering intellect, but with a mere rudimentary heart, his development required the offering of a rare and radiant maiden who should lavish on him her heart and soul and life. Iphigenia was found, and from the smoke of that most costly sacrifice uprose the true Carlyle.

GAIL HAMILTON.

EVILS INCIDENT TO IMMIGRATION.

THE steady influx of population from Europe is one of the most noticeable features of our time, and is likely to continue as long as land is cheap and our business prospects good. Whenever British America, Mexico, Brazil, or the Argentine Republic offers greater inducements to Europeans than we can, the course of emigration will probably change; but not until then.

The material advantages this country has derived from immigration have been treated of in a former number of this REVIEW. It is inevitable, however, that much moral and physical evil will be brought hither by the multitudes who come.

In 1825, the cheapest passage from Europe to the United States cost about one hundred dollars. With the growth of steam navigation and competition, the rates have declined to twenty dollars from London to New York; twenty-one dollars from Queenstown; and from ports in France, Germany, Holland, Norway, Sweden, and Denmark, to twenty-five or thirty dollars. While these low rates are an advantage to the industrious poor, they equally favor the migration of the thriftless and good-for-nothing. Hence, it may be expected that successive emigrations from the same country will show lower averages of pecuniary means and character, and thus the evils of crime and pauperism, which come to us from abroad, will become more and more potent with the deterioration of the moral and pecuniary resources of the immigrants. The statistics of crime and pauperism will satisfy the most skeptical that these evils are intimately associated; that certain forms of crime are almost a consequence of pauperism; and that both are recruited by immigration.

The Massachusetts State Board of Charities found, in 1864, that out of more than forty-seven thousand five hundred prisoners who had been questioned in that State, less than five per cent. "had ever owned property to the value of a thousand dollars," and the observation was made that "thousands of our

prisoners have been, or will become, paupers." In 1870, Mr. Z. R. Brockway stated, as to the previous occupation of one hundred thousand prisoners in fifteen different prisons, that eighty-two per cent. were laborers and servants, sixteen per cent. only were artisans, and less than one per cent. came from the educated professions. These citations from recognized authorities show that poverty and lack of skilled tradesmanship is a marked peculiarity of the prison population. Indeed, it was asserted by a Massachusetts official, some years ago, in respect to the reformation of prisoners, that the practical knowledge of a good trade has more influence in preventing them from again committing crime "than all the other agencies united."

During the ten years ending June 30, 1882, we received 3,544,458 immigrants. Limiting our inquiry to those nationalities represented by 100,000 and upward in the census of 1880, the immigrants in the decade and the percentage of the nationalities were as follows:

		Per cent.
German	955,654	26.9
British	562,040	15.8
British American	519,697	14.6
Irish	459,534	12.9
Swedish	206,126	5.8
Chinese	159,747	4.5
Norwegian	126,290	3.5
French	70,977	2.0
All others	484,393	13.6
	3,544,458	99.6

About one-half of the immigrants are grouped under three occupation divisions—"professional," "skilled," and "miscellaneous," the remaining division being mainly women and children.

	Professional.	*Skilled.*	*Miscellaneous.*	*Not stated and without occupation, mainly women and children.*
Occupation of the Whole Immigration of the Decade	.6	11.1	38.7	49.5
German	.6	11.5	29.4	58.3
British	.9	17.8	29.8	51.4
British-American	.3	11.9	36.6	51.0
Irish	.3	5.4	48.5	45.7
Swedish	.1	6.8	47.2	45.7
Chinese	.2		96.0	3.8
Norwegian	.3	9.8	38.9	50.9
French	3.8	18.3	34.7	43.0

The lowest ratios of skilled and professional are, in order, the Chinese, Irish, Swedish and Norwegian, while the French, British, British-American and German give higher ratios than the average.

The occupations classed as "Miscellaneous" apply to 1,372,197 persons, including farmers, 311,799; laborers and farm laborers, 834,264; servants, 124,809; and all others, 101,325. Doubtless a large number of agricultural laborers, without means, are reported as "farmers," just as strolling street players are counted as professional "musicians"; but passing these, we find the untrained laborers and servants alone number 959,073. In round figures a million of unskilled in the "Miscellaneous" column consists of laborers and servants, few of whom possess property and the majority of whom are not likely to acquire it. Their children are at a disadvantage when compared with the children of the skilled; for the latter are more likely to attend school regularly and to be trained to a definite calling.

The following table shows what proportion of these tradeless and poor people came from each country, and the percentage of the tradeless of each nativity compared with the entire immigration of that nativity:

	Nationalities of 959,073 laborers and servants arrived during the decade.	*The aggregate immigration (3,544,458) was composed of*	*Proportion of laborers and servants in the immigration of each nationality.*
	Per cent.	*Per cent.*	*Per cent.*
German	15.6	26.9	15.6
British	12.8	15.8	22.0
British-American	8.7	14.6	16.2
Irish	21.4	12.9	44.0
Swedish	8.2	5.8	38.0
Chinese	15.8	4.5	95.0
Norwegian	3.2	3.5	25.0
French	1.5	2.0	20.0
All others	12.5	13.6	24.7
	99.7	99.6	

Thus while the Chinese supplied only four and a half per cent. of the immigration of the ten years, they contributed 15.8 per cent. of all the laborers and servants, and 95 per cent. of the Chinese were of this tradeless class.

To the solitary men and women without fixed principles, without means and without a trade or an education, immigration is more likely to be a cause of moral injury than to those

who come surrounded by domestic safeguards. Family life stimulates energy, moral restraint, a sense of responsibility and a longing for a home. Since its advantages are so great that David declared, "God setteth the solitary in families," it will be well to look at the evidence of this relation, as shown in the proportion of children to each of the separate immigrations.

The sexes and ages of the ten years' influx summarized in percentages are as follows:

Ages.	*Males.*	*Females.*	*Total.*
Under 15 years	10.7	10.0	20.7
15 to 40 years	44.4	23.5	67.9
40 years and upward	7.1	4.3	11.4
	62.2	37.8	100.0

Children constituted nearly twenty-one per cent. of the whole immigration. In the absence of any statistics of the married and single, the percentages of children under 15 years afford the only means of comparison in regard to families in each national quota:

	Male.	*Female.*	*Total.*
German	13.3	12.3	25.6
British	11.3	10.9	22.2
British-American	8.8	9.0	17.8
Irish	7.2	7.7	14.9
Swedish	9.5	9.4	18.9
Chinese	7.2	0.3	7.5
Norwegian	11.2	10.0	21.2
French	6.8	7.1	13.9

Immigration by families distinguishes the Germans, British, and Norwegians. Of these nationalities, the males of all ages numbered respectively 59.4, 61.7, and 63.3 per cent. of their several totals; the Chinese, 98.1; the French, 64.1; and the Irish only 51 per cent. — the lowest percentage of males on the list. These figures show the abnormal character of the Chinese immigration in the absence of women and children. In 1870, of the foreign-born Chinese in this country, the females numbered seven per cent.; in 1880, the sex had declined to four and one-tenth per cent. In 1873 twelve per cent. of the Chinese immigrants were children; in 1882, the ratio had declined to 3.7 per cent. It will be observed that, next to the Chinese, the ratio of children is smallest among the French and Irish—a circumstance remarkable from the coincidence that the population of

France is stationary, if not actually declining, and Ireland has lost population steadily for a series of years.

Considering that the immense majority of immigrants are of limited means, some even suffering from poverty, the disposition to settle in cities becomes important, because of the evil influences which abound there. The following table gives the percentages of the foreign-born from the countries named, living in our fifty principal cities at the date of the Census of 1880, the cities in which they were most numerous being arranged in order:

German	39.3	New York, Chicago, Philadelphia, Brooklyn.
British	29.3	New York, Philadelphia, Brooklyn, Chicago.
British American	18.6	Boston, Chicago, Detroit, Lowell.
Irish	45.8	New York, Philadelphia, Brooklyn, Boston.
Swedish	17.0	Chicago, New York, Minneapolis, Brooklyn.
Chinese	22.4	San Francisco, New York, Chicago, Denver.
Norwegian	9.9	Chicago, Minneapolis, Milwaukee, New York.
French	39.0	New York, New Orleans, San Francisco, Philadelphia.

(The Chinese in San Francisco numbered 21,213; in the forty-nine other cities only 2,195.)

These exhibits reveal the following leading facts. The Germans are somewhat superior to the average in their proportion of skilled and professional; they bring the smallest proportion of mere laborers and servants; the proportion of children is the largest. The marked preference for city life is, in some respects, objectionable; for the mere aggregation of numbers of one nationality perpetuates foreign and clannish associations. In this way the "German vote" and the "Irish vote" have been created—an anomaly in American politics.

The British, second only to the Germans in number, exceed them in the percentage of skilled and professional and also of laborers and servants, and rank next to them in the number of children, while a smaller proportion settle in cities.

The British Americans are the third in point of numbers, and nearly the same as the Germans in the proportion of skilled and professional, and also of laborers and servants. Their percentage of children is less than either of the preceding, which is accounted for by the fact that so many young unmarried Canadians seek employment in New England.

In the fifty principal cities only 18.6 per cent. of the British Americans are congregated, the majority of the remaining

eighty odd per cent. are probably agricultural settlers, to whom most of the children belong. The British and the British Americans in the decade under consideration were each numerically greater than the Irish. The former become so completely assimilated that their presence is scarcely perceived, and no one hears of nominating candidates to catch the British vote,— in marked contrast with the Irish, who maintain social and political organizations based upon old national traditions or feuds. Of the Irish, it is to be remarked: (1) That the percentage of the skilled and professional is less than half the average; while these people constitute a trifle over one-eighth of the immigration, they furnished almost one-half of the poor and untrained laborers and servants. This lack of the mental and mechanical discipline expected of skilled workmen, suggests an almost certain irregularity of employment and small pay. Three-fourths of all the Irish males of fifteen years and upward are set down as laborers. (2) The breaking up of the family relation is indicated by the small number of children, and also by the large number of females who come seeking domestic employment. The females form a higher percentage (48.7) of the Irish than of any other immigration. (3) Nearly forty-six per cent. of this people in the United States reside in the fifty leading cities, the highest ratio on the list. This inclination to live in large towns exposes the unskilled and tradeless to the depredations of the unscrupulous, who easily prey upon their impulsive and improvident nature. Dense populations are always the scenes of crime; poverty and unfortunate impulses send the Irish into the densest of quarters. This fatal inclination to city life has much to do with the discreditable showing the race has made in the criminal records of the country.

The Swedish immigration, too, holds a low rank, because of the paucity of the skilled and professional, and the correspondingly large proportion of laborers and servants. This immigration seems, however, to be more in families than the Irish and British American. Its distinctive character is agricultural, only seventeen per cent. being found in the cities named.

The peculiar features of the Chinese immigration have been alluded to. Our anti-Chinese legislation will, of course, preserve these abnormal traits.

The Norwegians rank higher than the Swedes in respect to professional and skilled occupations, and bring a smaller pro-

portion of laborers and servants. That this is a family immigration is obvious from the number of children, second only to the British; moreover, the Norwegians possess the preëminent advantage of having a smaller percentage in the cities (9.9) than any of the nationalities under review.

The French immigration is small. It is peculiar in that the ratio of professional and skilled is the highest of all, and that of the children the lowest except the Chinese. The proportion of dwellers in the cities is high, but they do not become burdens upon tax-payers.

The Irish appear to be the most exposed to evil influences, by the want of trades and irregularity of employment — an exposure increased by city life and aggravated by a characteristic turbulent spirit. These conditions produce the same results in England as they do here. Prof. Leone Levi in his paper "On Indictable and Summary Jurisdiction Offenses," in England and Wales, states that the percentages of the foreign-born population and prisoners were as follows:

	Population, 1871.	*Criminals*, 1878.
Natives of Scotland	0.9	2.3
" " Ireland	2.5	13.1
" " Colonies	0.3	0.4
" " Foreign countries	0.6	1.3

He remarks "that a much greater preponderance of offenders is found among those born out of England and Wales" than among natives of those countries. Allowance must be made, however, for the fact that the English and Welsh population includes children, while the people of the other nativities are chiefly adults. No reason is given for the large proportion of Irish offenders. The professor adds that the total number of persons charged with crime was to each 1,000 of the population in 1876, in France, 19.38; in 1878 in England, 27.8; in Scotland, 41.25, and in Ireland, 51.10.

The breaking up of the homes and domestic life of multitudes of people; the adoption for a longer or shorter time of migratory habits; the difficulties which must be encountered in a strange land, perchance with a strange tongue; the fear of, and liability to, deception — all these experiences involve trials so formidable that it is not surprising that many succumb to temptation who would, under more favorable circumstances, have escaped contamination. Lives thus disordered cannot but tell unfavorably upon immigrants and their children; therefore it is to be expected that our

criminals and persons dependent upon public charity will be largely of foreign birth, or, if native, of foreign parentage. Parents who, in their native villages in Europe, would have apprenticed their children to some honest trade, find it impracticable to do so here. The mere lack of apprenticeship does not always lead to crime; still, the connection between the two is very apparent. Hogarth's pictures of the "Industrious and Idle Apprentices," made no clearer exhibit of the relation between idleness and crime in the last century than the statistical reports of our day present to us. The habit of industry formed under the discipline of apprenticeship is one of the great safeguards from crime; the habit of attendance upon public worship, of attention to religious duties is another, of which poor immigrants are often deprived by the vicissitudes of life in a new land. To show the efficiency of systematic habits in these respects, we take the following from a report of the Michigan State Prison. During three years ending September 30, 1880, nine hundred and four convicts were received into that institution; their average age was about thirty-one years.

Trade Acquirements.		*Attendance at Church.*		*Attendance at Sunday School.*	
Had a trade and served apprenticeship.	81	Regular....	34	....	15
Had a trade, never served apprenticeship	285	Irregular...	174	....	80
Had no trade	537	Never.....	695	....	808
Unknown.....	1	Unknown ..	1	....	1
	904		904		904

The well-ordered family life shown by regular attendance upon religious worship, and the influences which lead children and youth to the place of religious instruction, are most effective in the prevention of crime; and next is the methodical acquisition of a trade. All of these advantages are practically withheld from many of the immigrants' children. Of the 904 prisoners, only 65 were unable to read The want of regular training in industry appears to be even more conducive to crime than is intemperance itself; for 210 were "temperate," 336 were "moderate drinkers," and 358 are classed as "intemperate." In the two State Penitentiaries of Pennsylvania in 1881, of 705 convicts only 93 had been apprenticed and had learned a trade. In the Maryland Penitentiary, Nov., 1880, of 591 prisoners only 68 had a trade by apprenticeship.

These quotations are sufficient to indicate that an influx of tradeless immigrants will be a source of constant addition to our

criminal class. The Catholic bishops, Ireland of St. Paul, and Spalding of Peoria, have shown in their colonization plans how business management and philanthropy can be united and applied to the settling of men and families in agricultural districts in the West—people who, left unaided, would have been likely to remain in the crowded cities of the East, subject to degrading influences. The labors of these prelates have not only built up waste places, but have saved many a man from destruction. If we continue to receive great numbers of poor immigrants for years to come, a way must be devised for helping them to help themselves. To let them alone is to increase the burden of criminality and wretchedness, as well as of public expense, for crime and want are always tax-gatherers. Apart from religious considerations, love of country calls for some plan of aiding and advising the poorer, uninstructed immigrants; otherwise, it is almost certain that their children will be led by surrounding evils into courses more or less doubtful if not actually criminal. In the cities, observation justifies the opinion that the most dangerous class of young men, known as roughs, hoodlums, etc., is composed mainly of native-born sons of immigrants. Remembering that only four per cent of our prisoners "spring from healthy stock and favorable early influences"; and that "only five per cent or less belongs to the well-to-do, educated classes"; and that the environment of immigrants, especially in the densely populated quarters of cities, is more likely to be positively demoralizing than anything else, we are prepared for the statement that a preponderance of our criminals are the children of foreigners. A few statements of nativities will prove this.

During the year ending June 30th, 1882, 680 discharged convicts applied to the Prison Association of New York for aid. These applicants stated their nativities and those of their parents, as follows:

Number of Convicts born in the following countries.		*Number of Convicts whose Parents were born in the following countries.*	
United States, white	431		133
" " colored	11		11
Ireland	96		334
Germany	48		80
England	43		56
Scotland	14		21
All other countries	37		45
	680		680

The Massachusetts Reformatory Prison for Women gives the following statement for the year ending September 30, 1881:

Number of Prisoners born in the following countries:		*Number of Prisoners whose Parents were born in the following countries:*	
United States	94		33
Ireland	53		108
England	13		6
British Provinces	10		10
Scotland	9		10
Other countries	3		15
	182		182

Down to December 31, 1880, 3,831 children had been committed to the State Reform School of Rhode Island:

The number born in the several countries was:		*The number of children whose parents were born in the several countries was:*	
United States, white	3018		1280
" " colored	360		360
Ireland	257		1819
England	119		200
British America	30		....
Scotland	18		45
Germany	10		69
Other countries	19		58
	3831		3831

The State was obliged to support 1,640 children of native, and 2,191 of foreign parentage, of whom 1,819 were of Irish parentage. The Rhode Island Work-House and House of Correction had received, to December 31, 1882, 6,202 persons on commitment:

The number born in the several countries was:		*The number of those whose parents were born in the several countries was:*	
United States	3191		1507
Ireland	2104		3730
England	458		446
British America	182		146
Scotland	170		177
Germany	30		38
France	11		17
Other countries	56		141
	6202		6202

The native-born prisoners outnumber the others by 180; but only 1,507 — less than one-quarter of the inmates — are the children of American-born parents. In Pennsylvania, 8,851 adults were admitted to the alms-houses during the year ending September 30, 1881. Their nativities are given thus: American, 4,183; Irish, 2,494; German, 1,185; English, 404; Welsh, 124; Scotch, 99; other foreigners, 260; not stated, 102. We have yet to mention, but briefly, the saddest feature of immigration — viz., the growth of insanity. An official report of Dr. Kempster, superintendent of the Wisconsin Northern Hospital for the Insane, shows that, in addition to the ordinary causes which produce insanity, there exist among immigrant settlers "the depressing influences of home-sickness and overwork and under-feeding — conditions almost always present in new countries settled largely by foreign-born persons." In consequence of this, that hospital receives "a larger percentage of cases of the depressed types of mental disease than are received into similar institutions in the countries from which the population of Wisconsin is largely drawn." To a certain extent the facts presented point unfavorably to at least one nationality; but it is impossible to arrive at a specific conclusion, because no clear and definite statistics are available from more than a mere minority of our public institutions. There should be a systematic uniformity in tabulating the records of penal, reformatory, and charitable institutions throughout the country. A condensation of the records of each year would reveal the growth or diminution of crime, pauperism, lunacy, etc., and also show to what extent each of the foreign immigrations swells the numbers of the criminal, dependent, and defective classes in the United States.

EDWARD SELF.

BRIBERY BY RAILWAY PASSES.

MR. ALDRICH.

DURING the last two years the free pass question has given rise to much and often very acrimonious discussion. The bitterness of feeling comes from the fact that the propriety and justice of certain class privileges are questioned. Those who enjoy these privileges, or profit by them, are determined not to give them up, and hence the issue. We are treated to much false logic, misrepresentation and abuse, by those who uphold this practice on the part of the railroad companies, of bestowing valuable gifts upon our law-makers, judges, and other public officers.

It is well known, in the West at least, that clergymen are allowed to travel on the railroads for half the usual passenger fares, and that country journalists are furnished in some instances with free passes, and in others with tickets good for a stipulated number of miles of travel, for certain advertising required by the companies. I do not propose any discussion of these matters, but simply state the facts as I understand them to exist, and leave the reader to his own judgment regarding them. At most they are but very trivial incidents in what is believed to be a gigantic abuse — only a drop in the bucket in comparison with another and the really dangerous department of the free-pass system. The reason why I allude to them at all is because the real beneficiaries of the system often excuse themselves by complaining of the unwarranted privileges accorded to the country journalist and the country clergyman. The real free-pass abuse is to be looked for in another direction—viz.: among office-holders and politicians. Occasionally an incumbent of office is found, like Judge Rapallo, of New York, or Judge Reineger, of Iowa, who accepts no gifts from wealthy corporations; but such officials are not by any means numerous. While the custom varies with different

companies, and in different sections of the country, the list of those who are allowed free transportation almost everywhere on the railroads is quite large. It is understood to include the federal and State judiciary, prominent department officials, United States marshals and attorneys, clerks of the higher courts, governors, the leading State officers, members of Congress, and influential politicians generally. A lower grade of officials receive free passes for the railroads of their own States, or of their own section of a State. There may be just now some stringency in particular sections, but this privilege is understood at all times to include members of the State legislatures and the judges of the local courts, and very frequently the sheriffs of counties, the marshals of cities and towns, mayors, aldermen, and city councilmen, sundry officials, as supervisors, or commissioners, bailiffs, jurors, and occasionally township assessors. With many of these officials the free pass, on at least the nearest railway lines, has come to be deemed as legitimate a perquisite as their office stationery; and not only members of the State legislatures, but all of the more influential people whom I have named, are themselves constantly importuned to use their influence to procure free passes for their relatives, friends, and dependents.

One branch of this business, small as it may be in comparison, should awaken the indignation of every taxpayer. It is that of giving free passes to the local officer, by whatever name he may be called, who assesses real and personal property for taxation. This may not be, doubtless is not, a universal custom; but that it exists in some places is known to be a fact, while it no doubt prevails in some regions where no knowledge of it ever reached the public. Two years ago it was alleged, by the Hon. Coates Kinney, in a speech in the Ohio Senate, to be in vogue in that State, and the charge was not denied, though his bill to prevent such iniquities was defeated. I have been credibly informed that it has existed in several localities in the State of Iowa. It is scarcely necessary to add, that such passes are only given to the assessors in towns or townships where railroad property, as lands and town lots, is liable to local assessment. This will strike the reader as very contemptible business to be systematically carried on by great railroad corporations, which, in many cases, had been already able to secure from three to five per cent. of taxation to aid in the construction of their roads. But

it is certainly no more worthy of censure than the practice of making these gifts to our law-makers.

If one discusses this question with a judge or a legislator, the acceptance of the free pass will most likely be justified by the argument that the State pays him an insufficient salary, and that the gift, though continued from year to year while he is in office, does not in the least influence his official action. We may grant that he believes this to be true, but it offers no palliation of the injury which is done to the public. In this land of freedom and equality, theoretically we have no privileged classes. But this custom does create a class, whose privilege of free transportation not only elevates them into a species of aristocracy, but adds hundreds of dollars to their yearly incomes. Against such business arrangements as the companies openly make with clergymen, or local journalists, there would seem to be no complaint on the part of the people; but it must be clear to every observer that they view with suspicion the wholly different matter of conferring these gifts upon office-holders and politicians. The denunciation and abuse, the sophistical and unfair reasoning, which are so freely put forth in its defense by railroad attorneys and railroad papers, only serve to deepen this feeling. If the practice is not wrong, but highly praiseworthy, it would seem that it should admit of defense by fair argument, and settlement upon a basis which the people and the independent press would accept as right. But the idea that the free pass is not given to the influential politician and the office-holder with the expectation of, sooner or later, reaping some benefit, is one which intelligent people will never accept. They naturally ask, What is it given for?—and the question, if answered at all, is answered with a sneer.

A bright young railroad attorney who had the distribution of these favors at his pleasure once said of the free pass that it was simply "a courtesy due to position"; that it was as legitimate a thing for a railroad company to give a judge a free pass as for a private individual to invite the judge to dinner; and that it was simply a question of taste with the judge himself whether he should accept either. Further, that it was none of the people's business, any way. But when asked how it was that "the courtesy due to position" was made to apply to the township assessor, where certain railroad property was assessable, and not to the poor assessors who had no such property in their

humble jurisdiction, the discussion came to an abrupt termination. While we are treated to much argument, and assailed with withering sarcasm in the effort to show that it is right and proper for the railroads to give gifts to judges and law-makers, no man as yet has ever seriously undertaken to show just why a township assessor should be honored with such "courtesy," while the justice of the peace is left out in the cold. We are accordingly obliged to fall back upon mere influence. The suddenness with which this "courtesy" ends, in most cases, is quite as remarkable as the arguments by which it is sought to be justified. An ordinary legislator, for instance, is carried free until the 15th of January, after his term expires. The day following, by a rule of some of the lines, his sorrowing relatives would be compelled to pay double first-class passenger fare for the transportation of his corpse.

I believe it to be true, that no man can be the recipient of favors like free passes on the railroads for, say half a life time, without an inclination of friendship, an unconscious bias, if nothing more, toward his benefactors. It is not human nature for him to be otherwise. If any judge accepts these favors year after year, with an advantage to himself of thousands of dollars, he must be a most ungrateful man, indeed, if he feels otherwise than very kindly toward those who have conferred upon him such very substantial benefits. Suppose the reader is compelled to appear before such a judge, as a party to a suit with a railway corporation, would he not have reason, at the very least, to fear the possible effect of this unconscious bias? Would he not much prefer that his cause should be heard by a judge who had made it the rule of his life to accept no favors from the corporations?

So far as the judges and their courts are concerned, there is another point which is not to be overlooked. We may set as much down to the score of courtesy and compliment as we please, but the stubborn fact remains that the average man, especially if he becomes a party to a suit with a railroad company, believes that the free pass is given to influence the action of the court. If he is beaten he attributes his ill-fortune to this cause, and no amount of argument will ever convince him to the contrary. This belief is yearly spreading among the masses of the people, and it is steadily undermining and destroy-

ing that confidence in our courts of justice which should be universally entertained.

There is another direction in which the use of the free pass will find few open indorsers, to wit: In filling State or other conventions with the adherents of some influential politicians. It is well known that this species of manipulation has been largely practiced by members of every political party, and probably in every State in the Union. In fact, in critical junctures, adroit politicians are understood to have procured or been furnished with books of blank passes which they could fill up at a moment's notice, and thus capture their partisans on the wing, or speedily order up any amount of reënforcements from the rear. And when nominations are procured by such means, every man of the party must vote the ticket or be set down as a bolter and a sorehead.

But the odium of the free-pass system should not be wholly set down to the discredit of the corporations. The responsibility should be equally shared by the office-holders and politicians. And it should in justice be stated that scores, if not hundreds, of the ablest railroad men in the country correctly appreciate the injustice of the free-pass system, and are doing what they can to bring it to an end. But, up to the present time, they have been in such a hopeless minority that their efforts have been vain. Two, at least, of the greatest lines in the West are understood to have long desired to end the whole business. At the beginning of each year, for several years past, the representatives of the various corporations have met in Chicago, to determine upon some course of action.

Two of them have at times voted for its discontinuance, while the others assert that it is so thoroughly engrafted upon the country that all efforts to abolish it will prove unavailing. Possibly some of them cling to it for the influence it gives them in legislatures and courts. Men of excellent judgment have almost despaired of ever seeing this abuse ended. They point to California and Pennsylvania, both of which States have a provision in their constitutions prohibiting the giving of free passes to officials, and equally prohibiting their acceptance; but in both this fundamental law is said to be practically a dead letter. It was freely stated two or three years ago that some of the companies in those States sold tickets to the dead-head class at

merely nominal rates, and that the system had suffered little or no abridgment.

Upon this it was claimed that nothing can be done, and that therefore the abuse must go on forever, increasing with the growth of the country, and giving the corporations from year to year a larger measure of control over our public officers But if the will of the people is of any significance, the experience of the State of Iowa would seem to controvert this opinion. In the winter of 1882 a bill was introduced in the legislature of that State to prevent official dead-heading. The measure was at once most bitterly assailed by a large majority of the local public journals, as well as by hundreds of the beneficiaries of the system. It was, of course, defeated; but the discussion to which it gave rise lasted many months, and extended throughout the United States and Canada. While it excited the deep and virulent hostility of a majority of the local papers, it had the support of many of the best journals in the State, as well as of the great organs of public opinion throughout the country. The discussion of the subject bore most excellent fruit; for last winter similar bills were introduced, discussed, and kept before the people, in the legislatures of several of the other States, and passed, I believe, by two or three. At the Iowa Republican State Convention, in June last, a resolution was unanimously, and amid much applause, adopted as a plank in the platform, favoring free-pass prohibition and committing the party to its suppression. In Iowa the repudiated bill is now good Republican doctrine. This shows how the people feel upon the subject whenever they can obtain a hearing.

Really, public sentiment is growing so pronounced that in many sections the favored few dislike to show their passes in the presence of their fellow-passengers. Said a legislator: "While I was down home the other day, I rode on the cars with one of my old farmer neighbors, as good a man as I am, and as worthy of any sort of favor; and I tell you what it is, I felt ashamed of myself when I presented my pass to the conductor, and he a ticket for which he had paid!" May we not live in hope that the judges of our courts will ere long awaken to something of the same sensibility?

CHARLES ALDRICH.

JUDGE HUBBARD.

ONE of the peculiarities of modern civilization in America is the universal desire to travel. Another is the universal desire to travel on a free pass. A railway corporation is really only a large partnership, composed of private citizens like other partnerships, but possessing in the transfer of stock a means of changing the partners readily by taking in new members and letting out others. The magnitude of railway commerce has become such that private partnerships would be too unwieldy, on account of the capital required and the too large membership to successfully manage it. For the same reasons nearly all the manufacturing business has passed into the hands of corporations, which have taken the place of the simple and ordinary partnerships of forty years ago. It is safe to say that nearly if not quite one-half of all the business of the country is in the hands of corporations. But the railway corporation is peculiar, and stands out by itself. It buys nothing of the merchant, nothing of the farmer, and practically nothing of the manufacturer, on which it pays any considerable profit, for it manufactures largely itself. True, it pays out sixty-six per cent. of its earnings, mostly to employés who buy of the merchant and farmer, etc., but the individuals who buy, and not the corporation, are credited with the patronage. This corporate entity cannot vote, or hold office, or have or maintain political opinions. Any attempt to influence legislation is regarded as monstrous impudence and corruption. It has no social relations,—cannot rejoice at weddings, mourn at funerals, nor eat the Thanksgiving dinner with its patrons; pays no pew-rent, has no children at the public schools. Worst of all, it produces nothing, practically takes tolls of everybody, and fixes its own rates of freight and fare. In public estimation it is a great servant that dictates its own wages and compels its employer to take his hat in hand and bow and pay. It has been long settled that it has no soul,—only a pocket-book and a memory. In the eyes of the people this corporate entity is a cold, silent sphinx. Its few general officers through whom it acts, however just and wise, located generally in a great city, can give it no individuality.

The average man is made up of intelligence and prejudice,—mostly of prejudice. Nothing could be a better subject for prejudice to feed on than a railway corporation. Prejudice is a very

subtle thing, and the more of it one has the less he is aware of it. In this respect it is not at all like religion, for the more one has of that the better he knows it. A man controlled by prejudice may be compared to one who rides in an emigrant car all night—by morning he smells nothing wrong. Living long in the atmosphere of prejudice the public are permeated by it unconsciously, and it is transmitted and taken by inheritance. This prejudice against the railway corporation is everywhere, swaying the farmer, the merchant, the mechanic, the shipper, the courts, and the legislature; and the politician collects it annually as the most potent factor in a campaign. When Dr. Johnson made the epigram "Patriotism is the last refuge of a scoundrel," he was unacquainted with "railway prejudice."

Now, this corporate entity is quite well acquainted with its own situation, and especially with reference to this prejudice. Railway managers thus have every incentive to deal justly in the exercise of a great power committed to them. In a sense, they are trustees regulating the dealings between the stockholders and the public, and they must satisfy both. If they fail, their occupation is gone. So, when the politician, the shipper, the merchant, the farmer, and the manufacturer approach this Sphinx and say: "You do not patronize us; you produce nothing; you tax us all; you cannot laugh or cry; give us a free ride, and we will forgive you," the Sphinx hands out the pass. It is not worth while to classify the persons who receive the passes, further than to say that these are supposed to be given, and generally are, to men of the most influence and standing in the communities where they reside, except perhaps, those given to shippers. Nor need it be denied that the object generally is to ward off hostile legislation and unjust judgments of the courts begotten of prejudice. True, many are given through charity, and the railway may well claim that it does its full share in this way; but it counts little to its credit.

Conspicuous among the recipients of passes are judges and legislators and politicians. If any harm can come to the public through the free-pass system, it must come through this class of passes. The reports of the courts will be searched in vain for even an apparent injustice to any plaintiff in a suit against a railway; while the books are choked with cases where verdicts clearly the result of passion and prejudice have been permitted

to stand against the companies. The records of the legislatures of the North-western States reveal no friendly laws; but, on the contrary, hostile legislation is continually expected, and seldom denied. The Granger tariff laws of 1872, 1874, and 1876, in most of the North-western States were only repealed because they were found wholly impracticable and unjust to a large number of shippers. The members who made and those who unmade these laws were alike supplied with passes.

But it might be said that if no passes were issued to the legislators hostile legislation would be more easily obtained. This may be true, provided the railways voluntarily refused to give them; but if the legislatures should pass laws to protect their own virtue in this respect from the imputation of the non-passholder, it will undoubtedly quiet the nerves of the public, but will bring no harm to the railways. The principal complaints against passes come from the non-passholders, who are the majority. The pass has come to be regarded as a badge of social, commercial, or political distinction, and herein is found the bitterness of the protest against the pass system. If it were done away altogether by the law-makers themselves, that would relieve them of the necessity of passing hostile laws just to show the protesting non-passholder that they have not been influenced by passes, which, it may well be feared, has frequently been the case. The non-passholder generally believes that the railway is the active party in the distribution of passes—that it is constantly seeking new beneficiaries, and bestowing these favors voluntarily with the sole view of corrupting the courts and the legislatures. Nothing could be farther from the truth. The judge, the politician, the shipper, must all necessarily travel a good deal; their salaries and profits are small, and, taking the view of the "corporate entity" above given, they expect that this "ancient and agreeable custom," established thirty years ago, will be continued. So the railway has become a second Santa Claus—only coming a week later—and its annual visit is as eagerly awaited as that of its prototype. The railway official has no more perplexing question than to determine where to stop in the distribution of these favors. Those who are least entitled are the most clamorous for them, and by far the larger number of passes are given, not in the expectation of any positive favor in return, but to avert, if possible, the threatened evils.

Of course, passes are not given to all of any class. The number of State officials who have passes is the greatest in proportion to the whole number; while but few of the county and municipal officers, and still fewer of the farmers, merchants, shippers, and township statesmen receive them. It is difficult to convince the man who ships a few boxes of eggs that he is not as much entitled to a pass as the man who ships a hundred car-loads of live stock or a thousand car-loads of lumber. The young gentleman who manages a ward caucus or a town meeting, when refused a pass, is at a loss to understand why he is not of as much present and prospective consequence as a senator, and is strongly inclined to teach a lesson to the railway by an anti-monopolist harangue at the next meeting of the school-house debating society It is the opinion of a large number of the beneficiaries of the railroad that the word "family" ought to be written on the pass. This once accomplished, the holder of a pass feels that his special friends, and his blood relations as far down and up the line as cousins, ought to ride free also, not always so much to save them the fare as to demonstrate his own power and influence. The annual pass once obtained, nothing but the death of the party is a sufficient excuse for its discontinuance. Any other excuse implies decayed importance, which is a mortal affront. So the railway pensions the past, pays the present, and discounts the coming generation of officials with its passes; and all this not with the expectation of any good Samaritan pouring oil into its wounds, but only in the hope that the mob will pass by on the other side and not join the "thieves." Not having seen any benefit from the somewhat lavish issuance of passes, the railways undoubtedly would be glad to discover some ground for refusing them; but the custom is an old one, and perhaps not a single present railway manager has done more than to continue it.

The dominant party in the State of Iowa has resolved in convention in favor of a law prohibiting, under penalties, the railways giving, or any State officer or member of the assembly receiving, a pass. There is nothing in the history of the State to warrant any one in charging that passes have exerted undue influence, or any influence to induce an Iowa legislature to pass laws unjust to the people, and in the interest of railways, for none such have been enacted; and if an anti-pass law shall be enacted this winter, it will be enacted not because there is any

reason to fear that the members will be corrupted or unduly influenced by the favors bestowed, but solely to stop the clamor of those who want passes and have been unable to procure them. If the pass supply was equal to the demand, there would be no complaints,—and but little earnings from passengers. On the subject of the passage of an anti-pass law, as on all others, the Sphinx will probably maintain its silence. If it should object, the inference would be that it is the active agent in giving passes for improper purposes; if it should approve, it would be an evidence of avarice and stinginess. The custom of giving free passes is so old that the present generation can scarcely be held responsible for it. Whenever the people believe it is really the source of corruption in official life, and not a mere compliment to official position and harmless, they will speedily put an end to it. If, however, the custom is attacked mainly because the annual crop of passes is too small, the law-makers may well disregard the objection. There is a class of men, fortunately not large, who are so fond of a place in the public eye that any change which promises notoriety is eagerly embraced as a much needed reform. Occasionally, perhaps, one gets into a legislative body. The free-pass system will furnish such a one a fine opportunity.

N. M. Hubbard.

THE

NORTH AMERICAN REVIEW.

FEBRUARY, 1884.

No. 327.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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1884.

NORTH AMERICAN REVIEW.

FEBRUARY, 1884.

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NORTH AMERICAN REVIEW.
No. CCCXXVII.

FEBRUARY, 1884.

CORPORATIONS, THEIR EMPLOYÉS, AND THE PUBLIC.

THE great railroad strike of 1877 will not easily be forgotten. Riotous outbreaks of terrible violence startled the country, and the interruption of the transportation of persons and goods on some of the most important railroad lines caused general alarm. The business community suffered great damage by the disturbance of its arrangements and calculations, and the sudden difficulty of personal communication between different localities put all classes of society to very serious trouble and inconvenience.

Last summer, in July, there was an extensive strike of the employés of the Western Union Telegraph Company. The strikers generally conducted themselves as law-abiding citizens should, and no disturbance of the peace took place. But, as the Western Union Company had been doing by far the larger part of the telegraphing in the country, an interruption of its service to a great extent deprived the business community and the people generally of the means of that rapid exchange of intelligence which, in many important respects, has become one of the necessities of modern life.

In each case, the extreme of disaster was averted by timely arrangements putting railroad and telegraph in motion again.

But, leaving aside the question whether the striking railroad employés in 1877 and the striking telegraph operators in 1883 were right or wrong, the attention of the public mind was very forcibly directed to certain facts of great importance in the present organization of society. The rapid transportation of persons and goods and the rapid transmission of intelligence, it is hardly necessary to say, have become functions of so essential a nature in our social organism, that their interruption, only for a few days, cannot fail to bring upon a multitude of people great losses and very serious inconvenience, and their suspension for a long period would result in incalculable confusion and disaster affecting the whole community. These functions are, in our country, exercised through private corporations which, on their part, keep the machinery of their business going through a large number of employés who work for wages. With the pay and the treatment they receive, these employés are sometimes dissatisfied, whether in most cases with or without good reason, it is in this place unnecessary to inquire. For the promotion of their general interests and, among other things, to enforce the demands they occasionally make upon their employers, they have formed "unions," "brotherhoods," and the like. The membership of these associations they seek to extend over all classes of laboring people who might compete with them for the same employment, and by thus controlling them they expect to neutralize that competition and to overcome all resistance to their demands on the part of the employers in case of strikes, the object naturally being to make the filling of their places difficult, if not impossible.

In this way the employés of railroads and of telegraph companies have, like other working-men, organized themselves in large compact bodies, to be controlled by a common will, for the purpose, among other things, of enabling themselves to arrest, by general and sudden stoppage of work, all railroad transportation and all telegraphing, if the corporations refuse to comply with their demands with regard to wages and treatment. On the other hand, the corporations are frequently disposed to resist such demands, be it for the reason that the latter are really extravagant, or that they themselves seek to increase their profits by following an unjust and oppressive policy in the treatment of their employés.

It may be said that the conflicts thus ensuing will, as between employers and employés, in the long run, be decided

according to the condition of demand and supply in the labor market. When the employés strike for the purpose of obtaining higher wages, or to prevent a reduction, or for other reasons, the employers may find persons willing to serve upon the conditions offered or, failing in this, they may think it for their interest to suspend their business in order to starve the strikers into submission. To find a new set of persons for the vacated places will be difficult and require time when skilled men are needed, or when the strikers, by their organizations, are able to exercise control over those who might replace them. The attempt to starve the strikers into submission will result in a trial of endurance, the duration of which will depend on the state of preparation of the strikers, the means accumulated or the aid they receive for their support while out of work, and, on the other hand, upon the views the employers take of their own interest as to the length of time during which they can permit their business to be suspended. Finally, operations will be resumed upon the terms of the more enduring party, or, it may be, on the basis of a compromise. But in all these cases there is, unless one or the other party instantly succumbs, a temporary cessation of work. When such a thing happens in a cotton mill, or an iron foundry, or a tobacco factory, or a similar line of business, the incidental suspension of work may be a very important matter to the parties immediately concerned, but it will be of comparatively little interest to the general public. But when, in consequence of a disagreement between railroad or telegraph corporations and their employés, railroad travel and transportation are obstructed by extensive strikes, or the telegraph ceases to speak, and the business machinery of the country is struck with partial paralysis and millions of people are subjected to grievous inconvenience, then, however great the losses of the corporations may be in profits and of the employés in wages, the general public will be the principal sufferer. It is evident, therefore, that the relations between the railroad and telegraph corporations and their employés, so far as the working of the agencies of rapid transportation and transmission of intelligence depends upon them, are not only a matter of concern to the corporations and employés themselves, but a matter of the greatest possible concern to the whole community. They are not a mere private but a public interest. It is equally evident that, as to the necessary protection of that public interest, the problem is not how the inter-

ruptions of the railroad and telegraph business, which are caused by strikes, can in each case be ultimately brought to a close by proper adjustment, but how they can be altogether prevented; for, as it is through the temporary suspension of the running of railroad trains and of the working of telegraph wires that the public suffers, so it is only by preventing the occurrence of such suspensions,—that is, by preventing not the success but the breaking out of strikes,—that the public can be protected.

The question how this can be accomplished has been answered in different ways. One line of reasoning applied to it bears mainly upon the public duties of the corporations. An eminent judge recently held as follows with regard to railroads as public highways: "Can railroad corporations refuse or neglect to perform their public duties upon a controversy with their employés over the cost or expense of doing them? We think this question admits of but one answer. The excuse has, in law, no validity. The duties imposed must be discharged at whatever cost." It is urged that a similar rule should be applied to the telegraph, upon grounds like the following: Telegraph corporations are the creatures of law. They have received valuable franchises from the state, in consideration whereof they have to perform certain public services. It is their duty to transmit telegraphic messages promptly and correctly. This is what they are under a public obligation to do, no matter whether they have to pay the employés they need for that service high or low wages. If their employés are dissatisfied with the pay offered to them and refuse to do their work unless they get more, the corporations are in duty bound to agree to the terms insisted upon, unless they are able to fill the places vacated by the strikers so promptly that no interruption of the service occurs. The latter may be difficult, if not impossible; but, whatever they may have to pay their employés, under no circumstances can they be permitted to let the service suffer any interruption. Upon this theory, if capable of rigorous enforcement, the problem of preventing the suspension of the service might indeed be solved.

But, on the other hand, it is argued in behalf of the corporations, that if they are to be bound to pay whatever wages their employés may demand, so that the service of the railroads and of the telegraph shall remain uninterrupted, the employés may take undue advantage of this circumstance; that, in view of the practical impossibility of filling their places with other compe-

tent persons at a moment's notice, the employés might feel encouraged to ask for more and more, until finally their exactions would grow so exorbitant as to become utterly ruinous to the corporations if complied with; that, to obviate such extreme consequences, railroad and telegraph corporations must be permitted, in case of strikes, to go into the labor market and to supply themselves upon the best terms they can get, though a temporary interruption of their service, subjecting the public to damage and inconvenience, be caused thereby. Such a plea, if accepted as conclusive, would leave the matter in as precarious and unsatisfactory a state as before. But it is reënforced by another line of reasoning which bears upon the duty to the public, not of the corporations, but of their employés.

This cannot be set forth more clearly and forcibly than in the language used by a very able and distinguished writer in a series of articles, published a few months ago, on the occasion of the telegraph operators' strike, in an "esteemed contemporary." The following are the principal points of the argument:

"It (the suspension of the railroad and telegraph service) would mean a suspension of business and social relations equal to that caused by a hostile invasion, barring the terror and bloodshed. It is, therefore, something to which no country will long allow itself to remain exposed. It cannot allow strikes of employés in these great public services any more than it can allow the corporations themselves to refuse to carry on their business as a means of extracting what they think fair rates of transportation. No legislature would permit this, and one or two more experiences like the railroad strike (of 1877) will cause every legislature to take measures against the other."—"Telegraphers, railroad men, post-office clerks, and policemen fill places in modern society very like that of soldiers. In fact, they together do for society what soldiers used to do. They enable every man to come and go freely on his lawful occasions and transact his lawful business without let or hinderance."—"The present strike (of the telegraph operators) will do much good, if it calls the attention of the public to the fact that the enormous number of persons employed by modern corporations and the relations of some of them to the public put strikes out of the question as a mode of adjusting their differences with their servants. Whether such strikes are prohibited by law or not

makes no difference. No great corporation can allow them to succeed on pain of ruin. The ten thousand to forty thousand men which some of our modern corporations now employ in telegraphic or railroad service are an army, and have to be governed on the same principles as an army, and the fundamental principles of army management are that there can be no division of authority, and that nothing, however reasonable, can be yielded to dictation. No company can be threatened into a change in its arrangements by its subordinates, or admit outsiders into a share in the control of them, without seeing its service eventually go to pieces. Doubtless this often works injustice and hardship, but it is essential to the government of large bodies of men, and this government of large bodies of men in industrial organizations is a recent phenomenon to which it is absurd to apply rules derived from the petty disputes of factories or workshops employing a few dozen or a few hundred hands. There is no manager of a corporation who knows his business and is fit for his place who will not sooner lose millions in resisting a strike than save something in yielding to one."—"All mercantile corporations (including railroad and telegraph companies) exist for the purpose of making profits; to impose upon them conditions incompatible with profits is to convert them, against the will of their members, into philanthropic organizations—something which neither law nor public opinion has any right to do."—"It apparently has not occurred to the strikers (referring to the telegraph operators' strike last summer) that they have any duty to the public whatever, or that they are not at perfect liberty to inflict on it any loss or damage which will help them in their war with their employers. This is certainly a queer state of mind for a large body of intelligent men."

It would be difficult to state that side of the case more strongly, and nothing will serve better to set forth the peculiar position of the railroad employé and the telegraph operator than an analysis of this statement.

All the distinguished writer says of the injury likely to be inflicted upon society, in all its branches and interests, by strikes interrupting railroad transportation and telegraphing, is unquestionably true. It is also true that, as to the indispensable nature of the services they render to society, railroad and telegraph employés are somewhat like soldiers. But he who permits himself to be carried away by this analogy to the conclusion that there-

fore those employés must be governed upon army principles, forgets that the analogy fails in every other essential point. The soldier is not only rendering certain services to the public, but he is also under the care of the public, or of the political organization of the public, the state — using the word state in its philosophical sense. The state assigns to him his duties, keeps him under strict discipline and punishes him for disobedience of orders and for desertion. But the state also sees to his pay, sustenance and comfort; it protects him against maltreatment by his superiors; it has a hospital for him when he is sick and a pension when he is disabled. In one word, the soldier is in all respects under the government and protection of the same power to which he owes his duties and to which he renders his service, and his pay and treatment are regulated according to the requirements and interests of that service. On the other hand, the telegraph operator and the railroad employé, while they are to consider themselves in the service of the public and are expected to recognize themselves as in duty to the public bound to perform certain functions without interruption, so that the public may not suffer, are in other respects not under the protecting care of the public, but under the government of industrial corporations. These corporations exist not for the mere service of the public, but "for the purpose of making profits." The way in which they "govern" their employés will, therefore, be determined not merely or mainly by the public interest, but by what they understand to be their private interest. They are not unlikely to consider it their private interest to make those profits as large as possible, and to that end to keep down the wages of their employés at as low a figure as possible. This has not infrequently happened and it is likely to happen again. In some cases, corporations may do this undisturbed by any effective competition in the labor market. Our distinguished writer tells us, for instance, that the Western Union Company enjoyed "a virtual monopoly in its line of business," enabling it "to fix the wages of operators in this country," which was true at the time. A corporation enjoying such advantages may, in order to increase its profits, try to cut those wages down to or even below a bare living point, and corporations less favorably situated may follow their example. A combination of the principal railroad companies might be imagined, likewise able to fix the wages of engine-drivers and other classes of employés virtually throughout

the whole country, and it may, for the purpose of increasing profits, also try to cut down those wages in the same way. How far such things have actually happened, it is unnecessary here to discuss. Nobody will pretend that they are not fairly supposable. Now what are, under such circumstances, the telegraph "soldiers" and the railroad "soldiers" to do?

Let us suppose, then, they find it very hard, if not impossible, to submit; they cannot live as decently as they ought to live; they can, perhaps, scarcely live at all upon what is offered them. First they try the way of petition to the managers of the corporations, but without success. They petition and entreat more urgently; still in vain. At last, they think themselves driven to the conclusion that, petition and entreaty being unavailing, they have to resort to stronger means, and in sheer desperation they resolve to strike. The announcement of this resolution causes great apprehension of confusion and trouble among the public. Now, suppose somebody to come forward as the spokesman of the public and to exclaim: "You, railroad and telegraph employés, cannot be permitted to strike. You are in the service of the public. If you stop work, the public will suffer great damage and inconvenience. Your relations to society are very like those of soldiers, and you should know that a soldier who deserts his post commits a great crime. It is true other working-men have a right to resort to such means as strikes to protect their interests. But you, as railroad or telegraph employés, must not think of such a thing. Your duty to the public debars you from it. That public duty you should understand. It commands you to go on with your work, so that the public may not suffer."

The answer of the employés will be very simple: "We have petitioned and begged for what we cannot do without, but in vain. We cannot go on as we are. Our petitions having been without avail, we think no other remedy remains but striking. Now, you tell us that, while all other classes of working-men have the right to use that means for the protection of their interests, we are debarred from it by our duties to the public. Very well, then, if we are in the service of the public; if that public service precludes us from the use of those means for the redress of our grievances which are open to all other working-people; if we are, in duty to the public, bound to do our work

without interruption, will not then also the public be in duty bound to see to it that we be properly paid and treated?"

This might seem calculated to stagger our spokesman of the public; but, nothing daunted, he replies thus: "You are quite unreasonable and altogether 'in a very queer state of mind for a large body of intelligent men.' The public have nothing at all to do with your pay and treatment. That is the concern of the corporations under which you serve. Those corporations 'exist for the purpose of making profits,' and 'neither law nor public opinion has any right to convert them, against their will, into philanthropic organizations.' All we can say to those corporations is that, if they understand their business, they will govern you on the same principles on which an army is governed, and 'rather lose millions in resisting your strike than save them by yielding anything, however reasonable, to your dictation.' And all we have to say to you is that you are in duty bound, unless the corporations can at once procure good substitutes for you, which is not likely, to stick to that work which cannot be interrupted without great damage and inconvenience to us, the public, though what you ask for and what is denied to you be ever so reasonable; no matter whether you get living wages and decent treatment or not."

This may be vigorous language, but the railroad or telegraph employé can scarcely be expected to accept it as just and conclusive. He will rather think it somewhat brutal as well as inconsistent. The more intelligent and the more capable of logical reasoning he is, the more strenuously and consistently will he cling to the doctrine that if, as a railroad or a telegraph employé, he is to be debarred from certain means of righting his wrongs, which are open to other working-men, he must be entitled to some kind of protection to compensate him for this; that, if he is bound in duty to the public in the matter of service, he should not be left altogether at the mercy of a private corporation organized for private profit in the matter of pay and treatment. And it is difficult to see how any sane mind can dispute the correctness of these conclusions. The working-man may justly demand that the two sides of the question of duties and rights be regarded in a spirit of fairness. If it is urged that the corporations are organized, not for philanthropic purposes but for the purpose of making profits, so it must be con-

sidered that the employés work, not for philanthropic purposes but for the purpose of making a living; and the laboring men, almost all of whom are poor, should certainly not be asked to be more philanthropic than the corporations, most of whose members are rich. The laboring man with his wages should surely not be held to more onerous duties to the public than the corporation with its profits; for, while a reduction of profits means to the capitalist smaller dividends, a reduction of wages may mean to the laboring man want and distress. If railroad and telegraph employés can be required to stick to their work for the convenience of the public, no matter whether their wages are sufficient for a decent living or not, the corporations may certainly be required to keep their men at work, no matter whether the wages they have to pay permit the making of large profits or not. It will scarcely be denied that, if there is a difference between the two as to the degree in which they owe obligation to the public, it springs from the fact that the corporations are in the enjoyment of valuable public franchises which carry public duties with them, while their employés are simple wage-workers who, as a class, have been favored by the public or the state not a whit more than other working-people in private employment.

The upshot of all this is, that as soon as we assume the performance of a certain service to be necessary for the public convenience, and that those who undertake that service are in duty to the public bound not to cause or to permit that service to be interrupted, we must admit at the same time that the public becomes in duty bound to afford them a corresponding measure of protection in the performance of that service. Inasmuch as any disturbance of the relations between corporations and their employés is apt to become an obstruction to that performance, it is not only the concern of the parties immediately involved, but it is the concern of the public. It must be evident to the dullest mind, therefore, that the employés of railroad and telegraph corporations cannot, under such circumstances, be "governed on the same principles as an army," and that especially "the fundamental principle of army management that there can be no division of authority" is in this case utterly inadmissible. There being a duty to the public on the one hand, there must be a duty incumbent upon the public on the other to see as far as possible justice done between the corpora-

tions referred to and their employés, so that the public interest may be enforced without wronging either of them.

How is this to be accomplished? In view of the fact that the railroad and the telegraph are, in the modern organization of society, exercising functions as essential to the well-being of the people as the work done by the post-office and the police — that, indeed, they are already, in a large measure, doing the business of the post-office, and are an almost indispensable aid to the police,—the thought suggests itself that the state (in the general sense) should entirely control them, and that thus the employés of the railroads and telegraphs should pass under the government and care of the public, the same power to which they are to owe duty and render service. They would thus be relieved of their double allegiance and their position would become logical and plain. But whether the problems which these new elements in our social organism have brought upon us will, in this country as well as in others, eventually press for solution in the direction of state ownership or not, it is very certain that such a thing, at least as regards the railroads, cannot be undertaken here without great danger to the character and working of our institutions, as long as the purely administrative functions of government are not so entirely divorced from party politics that an enlargement of its administrative machinery will cease to mean an increase of the patronage and political power of the ruling party, and as long as this divorce has not grown so completely into the general ways of thinking and the political habits of the people as to be looked upon as a finally settled thing. We have, indeed, made a hopeful beginning in civil service reform, but it is only a beginning. We have a civil service law which is good as far as it goes. But some of the most important strongholds of patronage are not touched by it. And how little the spirit of it has affected the ways of party politics appears from the fact that the Democratic majority in the House of Representatives and the Republican majority in the Senate, at this session of Congress, treated the offices of their respective houses as party spoil in the same matter-of-course way which had prevailed before. It is true, the machinery of the telegraph service requires throughout skilled labor of a peculiar kind, so that it could easily and effectively be brought under the operation of the existing civil service law. The administration by the national government of a telegraph system as a branch of the post-

office may, therefore, be looked upon as fairly a subject of discussion. But to intrust the Government as it now is with the administration of a large number of railroads, involving the building of new lines, to be determined upon by Congress with its log-rolling practices, is a thought sufficiently appalling to discourage any one from seriously proposing it.

We shall have, therefore, still to deal in this matter with corporations and their employés, and to look for the prevention of strikes by the intervention of the public in another direction. The next thing suggesting itself is the establishment by law of tribunals of arbitration, with a sufficient range of jurisdiction. How naturally this suggestion comes to men's minds is illustrated by the fact that even the distinguished writer above quoted, in the same article in which he affirms that railroad and telegraph employés must be treated by the corporations on army principles, the fundamental one of which is that there can be no division of authority, speaks of the arbitration plan thus: "If the conclusion is deliberately reached by the public that the servants of corporations are unable to take care of themselves or make their own contracts, the proper way for protecting them is to establish boards of arbitration whose decision would be binding on both parties." The distinguished author seems to have forgotten for a moment that army government and arbitration in this sense cannot possibly go together; for, if there is anything in the world utterly incompatible with government on the army principle, the "fundamental principle of undivided authority," it is arbitration by an outside tribunal to decide differences between those who command and those who have to obey. Army government knows the court-martial composed of officers; but it is entirely unacquainted with courts of arbitration composed of civilians to intervene between officers and men. The interference of tribunals of arbitration between corporations and employés would be just as inconsistent with the principles of army government as the interference of trade-unions. It is therefore safe to say, that he who means army government cannot mean arbitration, and he who means arbitration cannot mean government "on the principle of an army." Which of the two things the author did mean may be concluded from the following paragraph: "But the difficulty in the way of this legislation (providing for boards of arbitration) is and always will be the sympathy of all business men with anybody

who is prevented, by law, from managing his business in his own way and, above all, from fixing the rate of wages he can afford to pay. Whenever wages begin to be fixed by government boards, every employer of labor will quake in his boots." This being, unquestionably, intended to show why boards of arbitration will not and ought not to be established, the spirit of army government after all emerges from the confusion of incongruities. But the quotation will be of service to us as a fair statement of the most important objections urged against the arbitration plan.

It is not at all probable that all business men, or even a large number of them, would regard the establishment of tribunals of arbitration for the purpose of adjusting differences between railroad and telegraph corporations and their employés with any disfavor. The reason is very simple. When railroad transportation or telegraphing or both together are interrupted by extensive strikes, the business men of the country are the first and largest sufferers. Any effective method by which such strikes can be prevented will, therefore, be most welcome to them. They know that the methods so far employed have not been effective. They know that strikes are not prevented by merely crying out that these things must be stopped and by shouting for the police. They not only feel that the talk of governing working-men upon army principles has a very strange and irritating sound in this country, but they are beginning to perceive that the expectation of preventing the recurrence of strikes by merely resisting them at any sacrifice, and the hope of destroying the power of the trade-unions or brotherhoods by stubbornly refusing to recognize them in their representative character, springs from a lamentable misapprehension of facts.

Nothing would indeed seem better calculated to discourage strikes for all future time than the history of strikes in times past. The number of successful ones has been so small, in proportion to the quantity of wealth wasted and the amount of wages lost to the working-people themselves by temporary cessation of work, not to speak of the demoralization and consequent misery caused by periods of idleness, that laboring men might well shrink from another attempt. Nor are these things unknown to them. On the contrary, they have been discussed among them often and quite intelligently. The immense advantage the capitalist has in point of endurance over the

working-man is no mystery to the latter. It has practically demonstrated itself by too many triumphs over well-organized and very determined strikes, not to be recognized. And yet, in spite of all these disastrous experiences, strikes are again and again resorted to, and the unions and brotherhoods which organize and lead them are constantly growing in membership and influence. Every new defeat seems, in fact, to have not a discouraging but a stimulating effect. How is this persistency under circumstances so adverse to be explained? In many cases it may, indeed, be the result of unscrupulous demagogy on the part of the leaders and of miscalculating ignorance on the part of the followers. But generally there is a deeper cause.

Every unsuccessful strike impresses the working-man more and more with the superior strength of the power he has to contend with. At the same time he knows, under present circumstances, of no other means than the strike to enforce his demands when petition and entreaty have failed. This last resort he is, therefore, in default of anything better, unwilling to give up. It occurs to him that, if strikes have heretofore so frequently miscarried, it was because they were not well enough organized and not general enough, and that they might be made much more effective by being organized on a larger scale. He also finds that corporations and employers generally are very reluctant to recognize the committees of unions or brotherhoods as the legitimate representatives and organs of the working-men, and that many show a peculiar hostility to them. From this he concludes that these organizations are the things the employers are most afraid of. For these and similar reasons unsuccessful strikes, instead of producing discouragement as to the efficacy of this method of enforcing demands, are regularly followed by efforts to enlarge the labor organizations and by preparations for greater unity of action. The object in view is gradually to ascertain and to reach the scale upon which strikes must be organized to overcome all opposition. That point may be ever so far off yet, and the efforts to reach it may be ever so ill-advised and bungling, still those efforts will result in more and more strikes, and thus the evil complained of will grow worse and worse as long as it is treated in the old way. Sensible business men see this very clearly. They understand also that if we want wage-workers to desist from strikes, and especially if we want the employés of railroad and telegraph corporations to

recognize, on their part, a duty to the public forbidding them to resort for the redress of their grievances to sudden stoppages of work, we must put within their reach for the righting of their wrongs another means more rational and more efficient. That tribunals of arbitration will be apt to answer the object is scarcely denied. There is every reason to believe, therefore, that the business community at large would, with genuine satisfaction, see differences between railroad and telegraph corporations and their employés referred to boards of arbitration instituted by law. And it is not unlikely at all that a good many other employers, instead of quaking in their boots, would be found inclined to apply the same plan to their own concerns, for the simple reason that it would be apt to relieve them of many of their troubles.

The mere obligation to put their differences before such a board may have a tendency on the one hand to make employers more careful and considerate in the treatment of their workers, and on the other hand to deter, at least, the most self-respecting among the working-men from countenancing foolish demands, for the reason that it would be distasteful to either of them to see their conduct publicly condemned by an impartial tribunal. Some people stand more in dread of an argument than of a fight. But whether that effect be to any large extent produced or not, the determination of a conflict by authoritative decision would at least not be preceded by a suspension of work, causing a loss of profits to one party, a loss of wages to the other, and, as in the case of railroad or telegraph strikes, much larger damage to the general public. It is not asserted that many of the great corporations will favor the establishment of such tribunals. Those of them which virtually enjoy or hope to enjoy a monopoly in their lines of business, enabling them to fix the rates of wages, will probably not approve of it. But the great mass of business men and employers of labor are neither so situated nor so minded. Indeed they have in many instances voluntarily resorted to the expedient of arbitration for the prevention of strikes, and frequently, if not usually, with excellent effect. A more regular and extended introduction of some method of this kind, we are confident, is only a question of time. The practice of deciding matters of difference between employers and wage-workers by mere trial of strength and endurance, is scarcely less wasteful and barbarous than wars waged between peoples and duels fought by individuals to decide questions of interest or honor. It is characteristic of that early period in the

struggle with new social problems, when current notions as to the nature of those problems, as to the ends to be reached and the means to be employed, are still in a crude state, and when the impulse to master existing difficulties by mere assertions of power most readily possesses men's minds in default of anything better. Methods more civilized, less costly, and better calculated to bring forth just results, will inevitably be found and adopted, as the nature of the trouble, the insufficiency of the remedies so far tried, the correspondence of rights and duties on one side and the other, and the direct interest of society at large in the relations between employer and laborer, as in the case of railroads and telegraphs, are more clearly understood and appreciated.

But the more generally the practice of arbitration is introduced, the more likely its effect will be to reach beyond the mere adjustment of occasional controversies about wages. We have seen only the beginning of the complications which accompany the industrial developments of our times. The difficulty of dealing with them will, as is usually the case, greatly depend upon the spirit in which they are approached, and in which the parties immediately concerned endeavor to understand each other. The modern methods of production, and the consequent large aggregations of wage-workers under great industrial organizations, have fostered a tendency among the working-people to think of themselves as an entirely separate and distinct social order, having separate and distinct interests of their own in contradistinction, if not absolute antagonism, to those of all other classes, and being obliged to cultivate a distinct and peculiar set of economic and political doctrines. An impression is growing upon them—in this country, perhaps, less than in others, but here also to a perceptible extent—that their interests can be protected only by a general organization of their forces and by constant preparation for some sort of violent contest. This is a state of mind most apt to lead men into strange misconceptions as to the world they live in, and thus to breed all sorts of extravagant schemes. Such a condition of things is, of course, full of mischief. While the great majority of the working people are not only honest but well-meaning and sensible, there are unquestionably among them a good many dreamers who cherish, with profound faith in their practicability, certain fanciful schemes for the sudden and radical reformation of all human things by revolutionary action; and there are also not a few self-

seeking and artful demagogues who try to acquire leadership by playing upon the passions of the excitable and the credulity of the ignorant. The first thing the demagogues aim at always is to alienate the working-people as much as possible from the other classes of society, and thus to shut out what influence the latter might exercise upon them. Nothing could be better calculated to play into the hands of the demagogues in this respect than an impression created among the working-people that the capitalists are determined to treat all matters of difference between employers and wage-workers as a mere question of power. Nothing will please the demagogue better than to hear the capitalist say to the laborer: "Whenever you attempt to try conclusions with us by a refusal to work on our terms, we are resolved, however reasonable your demands may be, to show you that we, with our wealth, can stand a suspension of work a good deal better and longer than you poor fellows with your dependence on wages." The maintenance of such an attitude on the part of employers will naturally strengthen among laboring people the belief that they have nothing to depend on for the protection of their interests but a strong organization of power on their side, and eventually a complete transformation of the social structure. When such a state of mind is produced, the demagogues and extremists will have easy sway.

In this respect, any measure, like the establishment of boards of arbitration so constituted as to command the confidence of the working-people, would be calculated to produce a very wholesome effect. It would show that society does not mean to leave the decision of differences between employers and wage-workers dependent upon a mere superiority of power and endurance on one side or the other, and that therefore the preparations for the setting on foot and the maintenance of strikes or for other forms of a conflict of forces are neither the only nor the principal thing to be looked to for the enforcement of their just demands and the redress of their grievances. It would assure them that, whenever they ask for anything reasonable, there will be a way far more peaceable and far less wasteful than a strike to obtain it, even if the employers should at first refuse. They would also understand that, in order to succeed, the justice of their claims must be supported with good reasons, instead of a mere array of force. In this circumstance they would find a very strong inducement to look at the two sides of a question

before pressing it, to keep the actual condition of things and its possibilities carefully before their minds, and to thus appreciate the world they live in. It would not bring about the discontinuance of the labor-unions — nor is it desirable that they should be dissolved, for there are many good objects which they are capable of serving — but it would be very apt greatly to diminish the ability of unscrupulous leaders to make a mischievous use of those organizations. The great mass of working-men will not easily be seduced into violent and wasteful proceedings when they see a fair and trustworthy method offered to them through which they may expect to obtain justice peaceably and at little, if any, cost. In one word, the relations of the different classes of society will be the less subject to disturbance the more extended the middle ground is upon which they can meet for the discussion and adjustment of clashing interests. By the establishment of tribunals of arbitration, that middle ground would be materially enlarged. In this direction they would be apt to produce their most important effect. Discussion is the best safety-valve of democratic society. Its influence is especially salutary when it leaves the domain of mere generalities and occupies itself with practical details, as it would have to do in the consideration of specific cases of difference about wages and the like. Ample opportunity and inducement for such discussion are especially necessary, when different social classes, upon whose harmonious coöperation their own prosperity and to a great extent the well-being of the whole community depend, are by the nature of their relative situations liable to become distrustful of each other's motives and aims, and thus apt to drift into unwholesome irritations and dangerous conflicts.

For these and similar reasons the institution of boards of arbitration under the sanction of law, to decide differences between railroad and telegraph corporations and their employés, is much more likely to be approved than to be objected to by the bulk of the business community, even at the risk of seeing the arbitration plan, if it works well, more extensively applied in the course of time. Whenever, for the determination of a conflict of interests, peaceable conference and debate are substituted in the place of a contest of brute forces, mankind has reason to congratulate itself upon an advance in true civilization. Prudent business men will be among the first to recognize this, for they will not be slow in

discerning its economical value. They will also understand that, while the demagogues, the instigators of discontent, the advocates of revolutionary violence may, as they gain influence with large masses of people, become dangerous to the public peace and order, their most efficient helpers in mischief are found among those who stubbornly resist just demands and necessary reforms.

It is, of course, not intended to present the establishment, by law, of tribunals of arbitration as a new discovery, or as a sovereign remedy for all the difficulties which the new methods of industrial production have brought upon society. It will only help in overcoming some of them. The measure of its success in accomplishing this end will depend much upon the manner in which those tribunals are constituted, so that they may enjoy the respect and confidence of all concerned, and upon a careful definition of their jurisdiction. In this respect, a valuable guide may be found in the experience gathered from the many cases in which, here and abroad, arbitration has been successfully applied, as well as from occasional instances of failure. Our present purpose, however, has been only to discuss the general principle. Even if the institution of such tribunals by law and the adjustment of their jurisdiction be looked upon as a difficult experiment, as almost everything must be looked upon that is proposed for the solution of these modern problems, it will be admitted that it is a necessary one, in view of the anomalous position of certain classes of employés who are to owe duty and service to the public while they are under the government of private corporations. Nor can it be denied that it will be a rational and, therefore, a promising experiment—an important step in the direction of justice, and therefore of peace and general benefit.

CARL SCHURZ.

HENRY VAUGHAN, SILURIST.

"THE entire forgetfulness into which poetry which, though not of the very highest order of all, is yet of a very high one, may fall, is strikingly exemplified in the fact that, as nearly as possible, two centuries intervened between the first and the second editions of Vaughan's poems. The first edition of the first part of 'Silex Scintillans' appeared in 1650, the second edition of the book in 1847." So writes Archbishop Trench in the notes to his delightful volume of selections called "Household Poetry." It is to Henry Lyte, author of the well-known hymn "Abide with me! fast falls the eventide," that the credit is due of having disinterred the long-forgotten poetry of Henry Vaughan. In 1847 Lyte published a volume containing all, or nearly all, Vaughan's religious poems, prefacing the work by an interesting account of the life of the poet. More recently, the indefatigable Mr. Grossart has devoted four closely packed volumes of "The Fuller Worthies' Library" to the complete works, in verse and prose, of Henry Vaughan. This work contains everything that came from Vaughan's pen, with all things known about him, both those we care, and some things we do not care to remember. When Lyte's edition appeared, the late Dr. John Brown found in the newly discovered Vaughan a kindred spirit, and in one of his beautiful essays has shed around the Silurist the light of his appreciative and sympathetic genius.

Henry Vaughan belongs to that small band of Royalist poets of the Caroline era who stand discriminated from the host of dashing, rollicking, cavalier lyrists, by being essentially religious poets. What attracted them to the Royal cause was not its worldly splendor; but they identified it with that refinement of feeling and that deep and sober piety which seem to have descended to us from Catholic ages. The others of the group to

which Vaughan belongs are Crashaw, Sandys, and George Herbert, not to mention Quarles, with his homely "Emblems," or Herrick, whose genius seems more secular than religious. But Henry Vaughan, interesting as he is from his character and his peculiar environment, has this special note to arrest our attention, that in him we hear, for the first time, some ethereal tones, some finer cadences, which, after his death, went silent in English poetry for more than a hundred years, only to revive in some of the higher strains of Wordsworth and Coleridge and Keble. Admirers of Shelley will catch a cadence here and there in Vaughan which reminds them of their favorite.

Henry Vaughan and his brother Thomas came of a fine old Cymric race belonging to South Wales. It is as a native of South Wales, and dearly loving it, that he styled himself Henry Vaughan, Silurist, from the name Silures, which Tacitus, about the close of the first Christian century, applied to the inhabitants of South Wales. The Vaughans traced their lineage back to Sir Roger Vaughan of Bredwardine, who went with Henry V. to his wars in France, and died on the field of Agincourt. This Sir Roger is said to have been knighted by the king, along with a comrade, Sir David Gam,—reckoned also among Vaughan's ancestors,—as he lay dying on the field. Welsh heralds traced the race of Sir Roger back to mythic times, even to one Carodoc Fraich-Fas, a knight of Arthur's Round Table. From Sir Roger in the ninth degree came Henry Vaughan of Tretower and Newton in Brecknockshire, the father of the poet. It has been doubted whether there are any descendants of the poet still extant; but Mr. Grossart, the latest editor of Vaughan's works, has, in a minute and laborious biography, made it probable that Dr. Charles Vaughan, of the Temple Church, the present Dean of Landaff, is a lineal descendant and representative of the poet, as is also Mr. H. Halford Vaughan, sometime Professor of Modern History in Oxford. It is also noted that the poet's family were by intermarriage akin to George Herbert, whom he calls his master. The old family seat of the Vaughans, Tretower Castle, is now a moldering ruin. Thomas Vaughan, grandfather of the poet, left it for the humbler mansion of Scethrog, or Newton, a little distant from Tretower, in the beautiful valley of the Usk. Here Henry, the poet, and his twin brother were born in 1621. Of their mother, strange to say, nothing, not even the name, is known.

Scethrog by the Usk is said to be a fitting birthplace for a poet. His eyes in childhood must have looked on distant mountains, "the Brecknockshire Beacons," and all about him were wooded knolls, and side glens with their waters running down to the Usk. Shakespeare is said once to have visited the Vale of Usk, and to have taken the name Puck, according to Malone, from Cum Pooky, "the Goblin Vale," one of those side glens belonging to the Vaughans. The Usk, with its sights and sounds, murmurs often through Vaughan's verse. Here is one of his many notices of it:

> "Garlands, and songs, and roundelays,
> Mild, dewie nights and sunshine days,
> The Turtle's voice, joy without fear,
> Dwell on thy bosom all the year.
>
> "To thee the wind from far shall bring
> The odours of the scattered spring,
> And loaden with the rich arreare
> Spend it in spicie whispers here."

When the two lads were eleven years old, 1632, they were sent to a parsonage a short distance from their home, where the Rev. Matthew Herbert undertook their education. This good man his two pupils ever afterward regarded with reverence and affection. In 1638 the twin brothers passed from their retired vale to Jesus College, Oxford, then, as now, the favorite resort of young Welshmen. Little or nothing is known as to how they fared at Oxford. Like all the young patricians of Wales at that time, they were devoted cavaliers, and all they saw and heard at Oxford would increase their loyalty. Oxford had not yet forgotten that famous reception it had given to Charles I., two years before, which has since become one of its most cherished historic memories. 1638, the year of the Vaughans entering Jesus, was the year when the Covenant first broke out in Scotland, and with it all the troubles of the king. That same year, too, Charles was at Woodstock, whither all the magnates of Oxford resorted to pay him homage. Perhaps even then the two brothers may have caught sight of the king. Or if they remained in Oxford till the close of 1642, they may have been present when he retired to Oxford, after the battle of Edgehill, and

may have gazed on that beautiful sad face which Vandyke has immortalized, and which has impressed itself indelibly on all generations since. However this may be, it seems certain that in the year 1641 Vaughan addressed some verses to the king, which appeared in a volume called "Eucharistica Oxoniensis." This steadfast loyalty breathes through all his poetry, and did not abate when Charles I. had been succeeded by his less attractive son. Mr. Grossart, the diligent and devoted editor of Vaughan's works, himself a non-conformist and a descendant of the Puritans, pulls a ludicrously long face over Vaughan's "Royalism," as he calls it. This is the one blot which he sees in his favorite poet. Even his decided High Churchmanship he lets pass with comparatively little comment. Vaughan came to Oxford when this way of thinking had there set strongly in. It had not always been so. At the beginning of the seventeenth century Puritanism had it all its own way within the University. Humphrey, a disciple of Zwingli, who was Professor of Theology, with the two Abbots, one Master of University and Vice-Chancellor, the other Master of Balliol, all of the Genevan school, commanded the situation. But Laud, who was ordained in 1600, within thirty years reversed all that. From the first he had set Humphrey, the Abbots, and Reynolds at defiance; and by 1630 he had gathered around himself a body of theologians of his own views, who have since been known as the Caroline Divines. Laud, as he had himself been befriended by the saintly Bishop Andrews, in his turn helped forward and encouraged Jeremy Taylor, Sanderson, Bramhall, Bethel, Hammond, and Nicholas Farrar with his devoted family. Oxford, then, as now, the home of violent reactions, was, when the Vaughans entered it, in strong recoil from Puritanism, and the tide of High Church theology was in full flow. "Laud," says Mozeley, "was the first High Churchman"; and in this sense he was, that "a theological school which was a mere handful when he commenced life at Oxford, had, mainly through his influence, spread over the country in all directions. Oxford itself, from being a focus of Calvinism, had come round, and scarcely knew its reflection in the theology of Jeremy Taylor and Hammond."

It is not likely that this theology much affected the two lads during their Oxford residence, but, in after years, when they came to think for themselves, these were the views which they

firmly adopted. There is no record that either of the brothers graduated. When they left Oxford, Thomas took up arms on the king's side, and as to Henry, while it is uncertain whether he joined the royal army, it is certain that he suffered imprisonment for the royal cause. He would seem to have sojourned for some time in London, as is proved by a rhapsody of his, commemorating convivial evenings at the Globe Tavern. The great wits who once haunted it were all gone,—Shakespeare, Ben Jonson, and the rest,—but to Vaughan's imagination their memories were still there. There is a sort of bacchanalian swagger about this piece which sounds strange to those who know Vaughan's maturer style.

In 1646 Vaughan gave to the world his earliest poetic venture, in a small collection of love verses, addressed, many of them, to Amoret and Etesia. Who these fair ones were, whether one damsel or two, or one under different names, does not appear. These verses are full of ardors and wistful sighs expressed in the conceits usual to the love poetry of that time. Vaughan afterward abjured them with what seems superfluous contrition; for there is nothing in them to call for repentance, unless all love poetry be sinful.

When the two brothers had to choose professions, Thomas was ordained, soon afterward evicted from his charge by the Scrutinizers of the Parliament, retired to Oxford, wrote works on alchemy and magic, and died in 1665. Henry became a country doctor,—though whence he got his diploma does not appear,—and settled before 1647 in Brecon, then called Brecknock, the country town of his native region. From a poem of his, written about this time, his new quarters do not seem to have been much to his mind. All things in the town and neighborhood he found set to the new Puritan and Republican régime. This is the way he describes it:

> "Here's brotherly Ruffs, and Beards, and a strange sight
> Of high monumental hats, ta'en at the fight
> Of eighty-eight; while every Burgesse foots
> The mortal pavement in eternal boots."

In a more serious strain, speaking of the abolition of the Christmas Festival by the Puritans, he exclaims,

> "Alas! my God, thy birth now here
> Must not be numbered in the year."

This uncongenial neighborhood he soon quitted, to settle in his native Scethrog, or Newton, a home which he never afterward left. There he became the Gideon Gray of his native district, and between his duties as a country doctor and his occupation as a poet, found his time amply filled. This is what the late Dr. John Brown, well entitled to speak on such a subject, says of his daily rounds:

"Though what Sir Walter says of the country surgeon is too true, that he is worse fed and harder wrought than any one else in the parish, except his horse, still, to a man like Vaughan, to whom the love of nature and its scrutiny was a constant passion, few occupations could have furnished ampler and more exquisite manifestations of her magnificence and beauty. Many of his finest descriptions give us quite the notion of their having been composed while going his rounds on his Welsh pony among the glens and hills, and their unspeakable solitudes."

Soon after settling in Wales, Vaughan married, but the name of his wife is not known. Her married life was brief, but the impression left on Vaughan by her character was lasting. His pathetic poem, entitled "Mourning for the Young Dead," surely alludes to her.

"Sleep, happy ashes! blessed sleep!
While hapless I still weep;
Weep that I have outlived
My life, and unrelieved
Must — soul-less shadow — so live on,
Though life be dead, and my joy gone."

Lyte says that in time Vaughan married again, but Mr. Grossart, though he sought for evidence of this, found none. He is willing, however, to accept it on Lyte's authority. Before 1650 Vaughan was visited by a serious and prolonged illness, which brought him to the verge of the grave. The death of his first wife, so young and good, followed by this long illness, wrought a great change in him, and he came out of this double affliction another man. The religious bent which his mind then took, it never afterward lost. Just about that time he became acquainted with the poems of George Herbert, whom he not only greatly admired as a poet, but welcomed as a spiritual guide and comforter. Taking Herbert as his model in form, he composed during his illness "sacred poems and private ejaculations,"

which are a faithful transcript of the experience through which he had recently passed. These he gave to the world, in 1650, in a volume styled "Silex Scintillans," suggesting by this title that the poems were sparks struck from a flinty heart. About the same time, his twin brother Thomas was publishing another collection of Henry's poems, under the title "Olor Iscanus; or, the Swan of Usk." This latter volume contained his more outward thoughts and observations; and though Henry, in his now altered mind, would gladly have burnt these, as well as his love poems, there does not seem to be anything in either of which he needed to be ashamed. In 1655 came the second part of "Silex Scintillans," and, in 1675, a small volume entitled "Thalia Rediviva," in the same style and spirit as the two parts of "Silex Scintillans." The twin brother, Thomas, died early in 1665. Henry lived till he was seventy-three, and died in his native place on April 23, 1695, and was laid in the neighboring churchyard of Llan-saint-fread. On his tombstone were inscribed these contrite words, prepared by himself:

"H. V. M. D. Siluris
Servus Inutilis
Peccator Maximus
Hic jaceo
Gloria . . . . . Miserere."

"Henry Vaughan, M. D., Silurist;
An Unprofitable Servant;
Chief of Sinners,
Here I lie.
Glory to God . . . Have mercy upon me!"

Vaughan has sometimes been spoken of as a mere imitator of Herbert; and such was his reverence for the Poet of "The Temple" that he would have held it an honor to be so styled. In the preface to "Silex Scintillans," after speaking of the licentiousness that tainted most of the poetry of that day, Vaughan says: "The first that with an effectual success attempted a diversion of this foul and overflowing stream was the blessed man Mr. George Herbert, whose holy life and verse gained many converts, of whom I am the least." Herbert was, no doubt, Vaughan's instructor in religious truth and the kindler of his piety. "The Temple" Vaughan probably knew by heart; and naturally enough,

when he began himself to versify, he adopted its meters, and here and there reproduced its cadences, just as we find Keble, two centuries later, sometimes recalling Herbert's tones. But after making full allowance for the influence of Herbert upon Vaughan, and the consequent likeness of their thoughts, it remains true that, as a poet, Vaughan contains in himself a fountain of inspiration, an intensity of feeling, and a subtle music, which Herbert never attained to. Archbishop Trench, a good judge of such matters, has well said: "As a theologian, Vaughan may be inferior, but as a poet he is certainly superior to Herbert, who never wrote anything so purely poetical as 'The Retreate.'"

Yet Vaughan never has been, and never will be, a popular poet. His subjects and his style alike forbid this—his subjects, because they all lie in a region of spiritual meditation which will probably never attract the many; his style, because it has no high coloring, and nothing of that sustained finish and perfect workmanship to which most of our great modern poets have accustomed us. From Vaughan, an ordinary reader will be repelled by his utterance, often broken and imperfect; by thoughts good in themselves but condensed to obscurity; by halting rhythms and broken music. Often you are pleased, shall I say? or provoked, to find one or two verses of fine thought, beautifully expressed, yet embedded in a surrounding mass of inferior workmanship. Only in a few poems, when his best mood is on him, does he kindle into expression, bright, vivid, intense, from end to end.

One of the most noticeable qualities of Vaughan is his inwardness. A meditative spirit by nature, this tendency was doubtless deepened by the religious change which he passed through. The phases of that experience are recorded in many poems in the first part of "Silex," such as "The Emblem," "The Call," "The Relapse," "Affliction," "The Tempest," "The Pilgrimage." The last of these contains an aspiration which Vaughan often expresses — some may call it unhealthy, others will feel it to be spiritual. It certainly has a warrant in the Psalms:

> "As birds rob'd of their native wood,
> Although their diet may be fine,
> Yet neither sing, nor like their food,
> But with the thought of home do pine;

"So do I mourn, and hang my head;
And, thou, Thou dost me fulness give,
Yet look I for far better bread,
Because by this man cannot live.

"O feed me then! and since I may
Have yet more days, more nights to count,
So strengthen me, Lord, all the way,
That I may travel to Thy Mount."

The personal experience which these poems reveal is for depth and spirituality unsurpassed by Baxter, or Bunyan, or any of the best of the Puritans. And in Vaughan, as in Herbert, it has this further advantage — the intensity of their personal religion is saved from individualism by the continual sense of an external and catholic standard of devotion. They found it a support and confirmation of their faith to feel that they were not resting on their own isolated experiences, but were only following the footsteps of "those who had gone before them — those multitudes in the primitive time who had believed and taught and worshiped as they did."

There is, however, another and rarer way in which Vaughan's inwardness shows itself. In common with all idealists, he feels strongly that the spirit in man is the only reality, that visible things are but shadows, a mere screen hiding from men the eternal world. This is the way he expresses it in his poem called "Cock-crowing":

"Only this Veyle which Thou hast broke,
And must be broken yet in me,
This Veyle, I say, is all the cloke
And cloud which shadows me from Thee.
This Veyle Thy full-eyed love denies,
And only gleams and fractions spies.

"O take it off! make no delay
But brush me with Thy light, that I
May shine unto a perfect day;
And warme me at Thy glorious Eye!
O take it off! or till it flee,
Though with no Lilie, stay with me."

The feeling to which I have alluded, and which these lines express, is part of Vaughan's Platonic mysticism—a spiritual

imaginativeness, vouchsafed only to the finer order of mind. To many, mysticism is a word of evil import, suggesting only something vague, shadowy, and unreal. But there is a true as well as a false mysticism. If one may say it with reverence, the writings of St. John are pervaded with that true mystic insight that enabled him to apprehend sayings and intimations of his Master which escaped the other Apostles. There are touches of mysticism interlining here and there the robust thought of Shakespeare. Spenser, too, has it; indeed, none of the higher poets are without it. The mystic element is finely interfused through the thoughts of Vaughan; indeed, it is the element in which his mind naturally expands itself and seems most at home. Take this opening of a poem called "The World":

> "I saw Eternity the other night;
> Like a great Ring of pure and endless light;
> All calm as it was bright;
> And round beneath it, Time in hours, days, years,
> Driv'n by the spheres
> In a vast shadow moved, in which the world
> And all her train were hurled."

This is the solemn background against which Vaughan sees all the transitory ongoings of man. The mystery of the universe by which he is encompassed haunts him; he longs to penetrate to the heart of it. This feeling often breaks out, and he finds in the nature of his own soul the key which opens farthest into the secret. Thus in his poem "Vanity of Spirit," he says:

> "I summoned Nature; pierced through all her store;
> Broke up some seales, which none had touched before;
> . . . . . And having past
> Through all her creatures, came at last
> To search myself, where I did find
> Traces and sounds of a strange kind.
> Here of this mighty stream I found some rills
> With echoes beaten from the eternal hills.
> Weake beames and fires flashed to my sight,
> Like a young East, or moone-shine night,
> Which showed me in a nook cast by
> A piece of much antiquity,
> With hieroglyphicks quite dismembered,
> And broken letters scarce remembered.

I took them up, and, much-joyed, went about
T' unite those pieces, hoping to find out
The mystery; but this ne'er done,
The little light I had was gone.
It grieved me much. At last said I,
Since in those veyls my eclipsed eye
May not approach Thee,—for at night
Who can have commerce with the light?—
I'le disapparell, and to buy
But one half-glance, most gladly dye."

This ideal faculty in Vaughan, this mystic longing to see the spiritual side of things, was combined with another power which seems quite opposed to it — a faithful eye to see and seize the exact form and features of natural things. Vaughan has been compared, for his mysticism, to William Blake. But there is this striking difference in their mysticism. In Blake it quite absorbs his powers of observation, as well as all his other faculties. "I assert for myself," says Blake, "that I do not behold the outward creation; to me it is hindrance." This was not at all the way with Vaughan. He rejoiced in rural sights and sounds for their own sake, and could reproduce them accurately and faithfully, without any subjective intrusion. The sound of waters, clouds with their shadows and gleams, and birds are special favorites with him. Here is his morning address to a bird:

Hither thou com'st, the busie wind all night
Blew through thy lodging: where thy own warm wing
Thy pillow was: and many a sullen storm,
For which coarse man seems much the fitter born,
Rained on thy bed,
And harmless head;
And now, as fresh and cheerful as the light,
Thy little heart in early hymns doth sing."

But such dwelling on outward objects for their own sake is with Vaughan comparatively rare. Usually, he portrays them in their relation to the human spirit — the action of things on thought, and of thought on things. What Mr. Barrett Browning finely said of Wordsworth is as true of Vaughan, "His eye is his soul." In the words of Coleridge, "To read the great book of Nature in a figurative sense, and to find therein correspondencies and symbols of the spiritual world," this which has been "the music of gentle and pious minds in all ages," was

Vaughan's peculiar delight. But for this characteristic of all high poetry, which is so strong in Vaughan, we have, after his time, to wait till it reappeared in the poetry of the nineteenth century.

It would have been pleasant to have lingered over his many allusions to his native Usk, over the "Waterfall," over his frequent images taken from birds and their ways, and over the beautiful surprises with which he startles and delights us, often in the midst of the plainest ground.

There is one poem to which I have not adverted, though it is one of the finest and most sustained of all Vaughan's poems. I mean that entitled "Communion with the Holy Dead," beginning thus:

> "They are all gone into the world of light!
> And I alone sit lingering here!
> Their very memory is fair and bright,
> And my sad thoughts doth clear."

But as it has found its way into almost every collection of poetry, and is known where nothing else about Vaughan is known, I may presume that it is familiar to all.

But I cannot conclude without referring to Vaughan's peculiar feeling about childhood, for of all his characteristics this is the most original and the most delightful. In his poem called "The Retreate" it is that he has expressed most fully the ideal light in which he looked back upon childhood.

> "Happy those early dayes, when I
> Shined in my angell infancy!
> Before I understood this place
> Appointed for my second race,
> Or taught my soul to fancy aught
> But a white Celestial thought;
> When yet I had not walkt above
> A mile or two from my first love,
> And looking back, at that short space,
> Could see a glimpse of his bright face:
> When on some gilded cloud or flowre
> My gazing soul would dwell an hour,
> And in those weaker glories spy
> Some shadows of eternity;
> Before I taught my tongue to wound
> My conscience with a sinfull sound,

Or had the black art to dispence
A severall sinne to every sence,
But felt through all this fleshly dresse
Bright shootes of everlastingnesse.

O, how I long to travell back,
And tread again that ancient track!
That I might once more reach that plaine
Where first I left my glorious traine;
From whence the Inlightened spirit sees
That shady City of Palm trees.
But ah! my soul with too much stay
Is drunk, and staggers in the way!
Some men a forward motion love,
But I by backward steps would move,
And, when this dust falls in the urn,
In that state I came return."

Here is a wonderful anticipation of the main conception of Wordsworth's great ode. The first to point this out was, as far as I know, Archbishop Trench, who, in the first edition of his "Household Book of English Poetry," wrote thus:

"This poem, apart from its proper beauty, has a deeper interest, as containing in the germ Wordsworth's still higher strain, namely, his ode on the 'Intimations of Immortality from the Revelations of Early Childhood.' I do not mean that Wordsworth had ever seen this poem when he wrote his. But the coincidences are so remarkable that it is certainly difficult to esteem them accidental; but Wordsworth was so little a reader of anything out of the way — and, at the time when his ode was composed, the 'Silex Scintillans' was altogether out of the way, a book of such excessive rarity that an explanation of the points of contact must be sought elsewhere."

That this was spoken rashly, the Archbishop learnt before the second edition of his Household Poetry Book appeared, for a correspondent informed him that he (the correspondent) had a copy of the first edition of the Silex, incomplete and very much damp-stained, which he had bought at a sale of Wordsworth's books. So Wordsworth, we may be sure, had read "The Retreate," and if he read it could not have failed to be arrested by it. No doubt, the whole conception is expanded by Wordsworth into a fullness of thought and a splendor of imagery which Vaughan has nowhere equaled. But the points of resemblance between the two poets are numerous and remarkable. The Platonic idea of ἀνάμνησις is at the root of both — the

belief that this is not our first state of existence, that we are haunted by broken memories of an ante-natal life. Indeed, this belief was held by Vaughan, and expressed in several of his other poems much more explicitly than it is by Wordsworth.

Mr. George Macdonald has closely compared "The Retreate" and Wordsworth's great ode, and has shown that if Wordsworth says,

> "There was a time
> When earth and every common sight
> To me did seem
> Apparelled in celestial light,"

Vaughan has

> "Happy those early days, when I
> Shined in my angell infancy."

If Wordsworth speaks of a time when he was haunted by

> "Blank misgivings of a creature
> Moving about in worlds not realized,"

Vaughan recalls a time,

> "Before I understood this place
> Appointed for my second race."

> "Heaven lies about us in our infancy,"

says Wordsworth.

Vaughan speaks of being filled by

> "A white celestial thought."

If Wordsworth says that

> "Trailing clouds of glory do we come
> From God, who is our home,"

Vaughan speaks of his childhood as a time

> "When yet I had not walkt above
> A mile or two from my first love,
> And looking back at that short space
> Could see a glimpse of his bright face."

Wordsworth calls childhood

> "the hour
> Of splendor in the grass, and glory in the flower."

Vaughan speaks of it as a time,

> "When on some gilded cloud or flowre
> My gazing soul could dwell an hour."

But if there are these marked resemblances, there are differences hardly less marked. The fading of the early vision Wordsworth attributes to custom, lying upon the soul

> "with a weight
> Heavy as frost, and deep almost as life."

Vaughan, on the other hand, traces it to a moral cause: to wit, his teaching

> "his tongue to wound
> His conscience with a sinfull sound,"

and learning

> "the black art to dispence
> A severall sinne to every sence."

And Wordsworth has not brought home the sense of immortality present in the vivid feelings of childhood so penetratingly as Vaughan has done in these two consummate lines:

> "And felt through all this fleshly dresse
> Bright shootes of everlastingnesse."

There is another poet who has touched very beautifully the subject of childhood,—I mean William Blake, in his "Songs of Innocence." But between Blake's treatment of it and that of the other two poets, there is this great difference: They, from their mature manhood, recall the bright instincts they had in childhood, and reflect, and even philosophize, upon them. Blake, on the other hand, throws himself entirely out of his present manhood, and prattles the very feelings he had as a child,—about the green fields, the lambs, the angels, and God. Some of these poems of Blake's are, perhaps, the very best expression ever given to baby-life, its innocence, its simplicity, its happiness, its religiousness.

But some one may here interpose and say, Why all this fine talk about childhood; is it not a mere piece of sentimentalism, without any ground in reality? They who speak thus would seem to have a great authority upon their side. Mr. Matthew

Arnold, in the preface to his "Selections from Wordsworth," has said:

> "The idea of the high instincts and affections coming out in childhood . . . this idea of undeniable beauty as a play of fancy has in itself not the character of poetic truth of the best kind; it has no real solidity. The instinct of delight in Nature and her beauty had, no doubt, extraordinary strength in Wordsworth as a child; but to say that universally this instinct is mighty in childhood, and tends to die away afterwards, is to say what is extremely doubtful. In many people, especially in the majority of educated persons, the love of nature is nearly imperceptible at ten years old, but strong and operative at thirty. In general, we may say of those high instincts of early childhood what Thucydides says of the early achievements of the Greeks, that probably they were no very great things."

Alas! for poetry, if the perceptions of the so-called educated man are to be made its norm and canon. The ordinary educated man is apt to be a very artificial product, and unless he has to begin with some original spring of nature that lies deeper than his education, his sentiments and his judgments of poetry, as of other things, are, for the most part, strictly limited by the standards that pass current for the time in the circle to which he belongs. Judged even by so solid and respectable a faculty as ordinary common sense, poetry would fare but badly,—would be put down as something extravagant and fantastic,—"a convenient way of talking nonsense." It is probably true enough that to few has been granted a childhood so bright and imaginative as Vaughan, Blake, and Wordsworth could look back to; that few persons in any generation could say that the poems above alluded to reproduce exactly their childhood's experience. Of course, the remembrance that each one has of his or her childhood must depend on the conditions which surrounded their home, —whether their childhood was passed in town or in the country, and whether in a beautiful or an unattractive neighborhood. But most persons of any sensibility who have spent some part of their childhood in a pleasant country must, I should think, in looking back, be aware that, next to the warmth of home affection and companionship, the things that most made their happiness were the sunshine, the green fields, the beasts and birds, the mountains, the clear streams, and the sea-shore. In the rural sights and sounds around them they rejoiced, though they knew not at the time what it was they rejoiced in. There are few, I suppose, who cannot recall from their childhood one or

two at least of "those heavenly days which cannot die," when the innocent brightness of the morning was about them, as yet undimmed by any shadow of mortality, and there were loving voices in the garden that have long been still. Such moments may have been few, as they were fleeting; but they must have thrilled us when they were here, else how could we recall them now? The remembrance of them may have waxed so faint that it seldom now revisits us, save perhaps for a moment, when reawakened by some long-forgotten tone or some scent that breathes of that early time. But no doubt they lie far down in most of us, those remembrances, buried fathoms deep, under layer on layer of custom, conventionality, commonplace, it may be, of worldliness. Is it not, then, one of the finest gifts of the true poet that he can pierce through those coatings with which later experience has incrusted our better nature, and re-awaken the child's heart that still slumbers within us? As Miss Annie Keary, one of the best of modern depictors of childhood, has expressed it: "There is a mental atmosphere common to all children, which changes so gradually that only a few observers, or, rather, a few imaginative people, who have lived vividly the child-life, and so kept a good deal of its atmosphere embedded in their memory, ever succeed in bringing it back."

To have succeeded in bringing it back, this is the good office which Vaughan and Blake and Wordsworth have performed. Those fine and ethereal, yet evanescent instincts, which most men and women in childhood have in some measure shared, these poets have preserved in their hearts so tenaciously, and expressed in their poems so vividly, that they awaken, even in ordinary minds, some recollection of them. Can any poet render to his fellow-men a truer, more delicate, service?

There is, however, it must be noted, one thought about childhood in Vaughan which Wordsworth has not. It is this,— that hereafter in the perfected Christian manhood the child's heart will reappear. "Of such is the kingdom of heaven."

Vaughan's poem of "The Retreate" closes with the wish that

> "When this dust falls to the urn,
> In that state I came return."

Again, in another poem he calls childhood

> "An age of mysteries, which he
> Must live twice who would God's face see,
> Which angels guard, and with it play,
> Angels! whom foul men drive away."

It is a beautiful and, I trust, a true faith, that a day is coming when the soul shall put off all the incrustations it has gathered here, when we shall regain all that we have lost, and combine the matured wisdom of the man with all that is lovely in the child. And so our life is rounded both ways by a childhood — the imperfect childhood we pass through here — the perfect childhood which shall be hereafter.

J. C. SHAIRP.

JOHN BROWN'S PLACE IN HISTORY.

In the November number of this Review, the Rev. David N. Utter moves to reverse the judgment heretofore rendered in favor of John Brown of Osawatomie, alleging that Ralph Waldo Emerson, Henry Thoreau, Theodore Parker, and other radical abolitionists, the makers of our history and literature, the trusted leaders of the North in the war for the Union, "a company of men and women whose peers did not exist in America," conspired to impose a false verdict upon mankind, which has passed into the encyclopedias and biographical dictionaries, and been accepted as true by the civilized world.

In support of this motion, two averments are made.

First. That on May 24, 1856, in the night-time, John Brown slew, or caused to be slain, in cold blood and without provocation, five inoffensive citizens living in the valley of Potawatomie Creek.

Second. That on August 30, 1856, at the battle of Osawatomie, John Brown ran away to save his life.

Whereupon, David N. Utter demands that instead of being adjudged a hero, patriot, and martyr, John Brown shall hereafter be held and declared to have been a felonious poltroon, an imposter, and an assassin.

The equity of history, if not its justice, requires that every man should be tried by the standard of his own time, in the light of all the circumstances that surrounded him, and judged by the avowed purposes and final results of his whole career. Tested by this canon, it is difficult to treat this performance of David N. Utter either with patience or respect. The vague and puerile generalizations about hero-worship and the causes of the war; the mild ecclesiastical sneer at New England and the higher law; the justification of slave-stealing; the utter ignorance of the fundamental facts of Kansas history; the approval of the acts of the Missourians in killing Frederick

Brown and burning the cabins and stealing the stock of the other sons; the perversion of morals in declaring that the Pottawatomie massacre could be sustained if its results had been good, and so foreseen and foretold; the inconsistency of affirming in one sentence that John Brown was a hero in 1859, and in another that his entire public career is to be utterly condemned, —all these produce a sensation of bewilderment, and were it not for the faint flavor of the conventicle that pervades the paper, would create the impression that it was intended as a burlesque, like Archbishop Whately's "Historic Doubts relative to Napoleon Bonaparte," rather than as a serious contribution to modern history. When he concludes by declaring that the principles of John Brown were those of the Russian Nihilists,—"first make a clean sweep of the present civilization, and let the future build what it can,"—wonder becomes mingled with compassion; for there is probably no other intelligent student of public affairs who does not know that the Russian Nihilists demand nothing of the Czar but a liberal constitutional government. However detestable their methods, they do not aim at anarchy. It is seldom that an author reaches the felicity of being misinformed upon all subjects of which he treats.

John Brown was born at Torrington, Connecticut, May 9, 1800. He was descended in the sixth generation from Peter Brown, an English carpenter, who signed the compact in the cabin of the Mayflower, and died in 1633. When five years old John Brown was taken to Ohio. His youth was uneventful and obscure. At the age of eighteen he went to Massachusetts, with the design of obtaining a collegiate education and entering the ministry; but, being attacked with a disorder of the eyes, was compelled to abandon this purpose and return to Ohio. In early manhood he was a surveyor, and traversed the forests of Pennsylvania and Virginia. Later, he was for ten years engaged in business in Pennsylvania, and subsequently in Ohio as a tanner, a cattle dealer, and speculator in real estate. In 1846 he removed with his family to Springfield, Mass., and dealt in wool as a commission merchant, without success. In 1849 he went to North Elba, New York, where he toiled upon a sterile, rocky farm among the Adirondacks, and where his body now lies moldering in the grave. As early as 1839 he had formed the great life purpose, which he never relinquished, for the destruction of African slavery. Thenceforward there was no divergence in his

career. He was not distracted by ambition, nor wealth, nor ease, nor fame. He never hesitated. Delay did not baffle nor disconcert him, nor discomfiture render him despondent. His tenacity of purpose was inexorable. Those relations, possessions, and pursuits which to most men are the chief objects of existence—home, friends, fortune, estate, power—to him were the most insignificant incidents. He regarded them as trivial, unimportant, and wholly subsidiary to the accomplishment of the great mission for which he had been sent upon earth. His love of justice was an irresistible passion, and slavery the accident that summoned all his powers into dauntless and strenuous activity.

In the autumn of 1854, four sons and the son-in-law of John Brown joined the column of emigrants that marched to Kansas. They were farmers. They were peaceable, God-fearing men. They had no means of subsistence except the labor of their hands. They were unarmed, but they hated slavery, and believed that Kansas should be free. They settled near Potawatomie Creek, built humble cabins, and began to cultivate the soil. They were harassed, insulted, raided, and plundered by gangs of marauders, and finally notified to leave the Territory under penalty of death. They associated for defense, and unable longer to continue the unequal contest, in the summer of 1855 they wrote their father to procure and to bring to Kansas arms, to enable them to protect their lives and property. He arrived, after a tedious journey through Illinois and Iowa, on the 6th of October, 1855.

David N. Utter declares that John Brown was a "disturbing influence in Kansas from the first," and that he went to the Territory "not as a settler, but to fight." He designates him as an extremist and revolutionist who belonged to an insignificant party that was led by newspaper correspondents and stipendiaries, who really had no right to be in the Territory at all. He attempts to convey the impression that, prior to the arrival of John Brown, there were no other "disturbing influences" at work; that although there had been some casual differences of opinion as to the course that should be pursued with regard to the slave code adopted by the bogus legislature of 1855, a wise and moderate policy of submission prevailed. The days were halcyon. It was like the garden of Eden, where, in pastoral tranquillity, the Adams and Eves were naming the beasts and

cultivating the fig-tree whose foliage was so soon to be unfortunately more important than its fruit. Even the destruction of Lawrence is dismissed with a flippant paragraph as scarcely worthy of notice. "There was no resistance, and nobody was killed except by accident," murmurs the placid historian. He probably considers that the drunken mob of eight hundred border ruffians who had assembled on their own account, as he says, to wipe out the abolition town, went to the Territory as "settlers" and not, like John Brown, "to fight."

They were not like John Brown, "a disturbing influence." They went to Kansas "to make homes and build a State," and so, unlike John Brown, their voice was not "for war." Like the gentlemen described by Tacitus, they wanted peace.

There was no trouble till John Brown came with his pernicious revolutionary doctrines: "the pillage and the burning were in consequence of his crimes, and for the whole he deserves censure rather than praise," concludes David N. Utter, who calls this process the "revaluation of our war heroes," and "getting at the exact facts in every case, let them be what they may," for the benefit of the younger generation who do not love truth more, but need heroes less, than the men of twenty years ago, in the language of this evangelical iconoclast. It may interest the younger generation to hear a brief account of what occurred in the interval between July 2, 1855, and May 21, 1856, over which this revaluer of heroes skips with such airy levity.

The Legislature was elected March 30 by Missourians who entered the Territory in armed bands for that purpose. Nearly eight hundred attended the polls at Lawrence, with pistols, rifles, bowie-knives, and two cannons loaded with musket balls. Both branches of the Legislature were unanimously pro-slavery after July 23. They devised a scheme by which the people were deprived for two years of all control over the executive, legislative, and judicial departments of the territorial government. They filled all the offices with pro-slavery men, and adopted an act to punish offenses against slave property which is probably the most infamous statute that ever blackened the code of any civilized people. It affixed the penalty of death to the crime of carrying or assisting slaves out of the Territory with the intent to procure their freedom, and punished the denial of the right to hold slaves with imprisonment at hard labor for two years with ball and chain.

They adjourned August 30, and the laws were published in October. The Free State party met at Big Springs, September 5, and adopted, among other resolutions, the following:

"That we will endure and submit to these laws no longer than the best interests of the Territory require, as the least of two evils, and will resist them to a bloody issue as soon as we ascertain that peaceable remedies shall fail and forcible resistance shall furnish any reasonable prospect of success; and that in the meantime we recommend to our friends throughout the Territory the organization and discipline of volunteer companies and the procurement and preparation of arms."

This convention was followed by another at Topeka on the 19th, to take preliminary steps for the formation of a constitution. Delegates were chosen October 9th, assembled on the 23d, and adjourned November 11th. On the 14th the "Law and Order" party was organized at Leavenworth, and the blood of Free State men began to flow. As early as May these friends of freedom had shaved, tarred and feathered, ridden on a rail, and sold by a negro auctioneer for one dollar, William Phillips, who had ventured to protest against the validity of an election in Leavenworth. In August they subjected Rev. Pardee Butler to great personal indignity at Atchison, and set him adrift down the Missouri on a log raft, because he refused to sign some resolutions adopted at a pro-slavery meeting held in that town. But these mild remedies were now abandoned. On November 21st, Dow was killed. Branson was arrested for taking part in a meeting held to denounce the murder. He was rescued, and the sheriff summoned a posse. The Governor called upon all good citizens to aid in Branson's recapture. The excitement was intense. Armed bands crossed the Missouri and hastened to their rendezvous at Franklin, under the command of Atchison, United States Senator. The roads were patrolled and wagons robbed. On the 6th of December, Barber was shot while traveling homeward. Companies of Free State soldiers marched to the defense of the beleaguered town of Lawrence. Among them were old John Brown and his four sons, equipped for battle. A spectator says: "They drove up in front of the Free State Hotel, standing in a small lumber-wagon. To each of their persons was strapped a short, heavy broadsword. Each was supplied with fire-arms and revolvers, and poles were standing endwise around the wagon-box with fixed bayonets, pointing upward."

A gaunt, grim, gray, formidable figure! Evidently he was there "not as a settler, but to fight!" But there was no fight. Both sides regarded discretion as the better part of valor. The forces were disbanded, and John Brown and his sons drove their lumber wagon, with their broadswords, guns, pistols, and pikes to their cabins on the Potawatomie.

The election under the Topeka constitution was held January 17, 1856. The next morning three Free State men, going home from Easton, were assailed by a horde of ruffians. Captain R. P. Brown, a member-elect of the Legislature, went to their relief and routed the assailants. The three men, with Captain Brown, continued on their way toward Leavenworth and were again attacked and overpowered. At night they were all released but Brown, who was dragged out, hacked and gashed with hatchets and knives, thrown into a wagon, exhausted, bleeding, benumbed with cold, and soon expired.

Other murders followed. Governor Shannon said that "the roads were literally strewed with dead bodies." The Missouri River, the chief highway to the Territory, was closed, and steamers were searched for ammunition and supplies. In April, Major Buford arrived with large reënforcements from Georgia, Alabama, and South Carolina. Efforts to arrest Free State men were continued and were resisted. United States troops were sent to Lawrence to aid the civil authorities. A complacent and obsequious grand jury was assembled that found indictments against Governor Robinson, Reeder, and others, for high treason, because they had participated in the Free State movement. The Governor fled from the Territory in disguise. Robinson was arrested while *en route* to the East, and brought back for trial under guard. The District Court conceived and promulgated the extraordinary doctrine of "constructive treason." Anarchy prevailed, and on the morning of May 21, 1856, a deputy United States marshal, with an immense posse, entered Lawrence and arrested a large number of citizens for constructive treason and for bearing arms against the "Government." Later in the day, Sheriff Jones appeared with an armed force, and an order of court to destroy two newspaper offices and the Free State Hotel as nuisances. A demand for the surrender of arms was complied with; a blood-red banner with a single star and the legend "South Carolina" was unfurled. The printing offices were destroyed, and the material thrown in the river.

Four cannon were trained on the hotel and it was demolished. The day closed with the pillage of stores and houses. The dwelling of Governor Robinson was burned, and night was hideous with the frenzied orgy of the drunken and triumphant marauders. The total value of the property destroyed was about two hundred thousand dollars.

The subjugation of Kansas by the slave power now appeared to be accomplished. The Free State leaders were in prison; the principal towns of the Territory were in the hands of the enemy. This was the result of the "wiser and more moderate policy of submitting," which David N. Utter says had "all along the support of the very best citizens, even the most earnest abolitionists."

It is not necessary now to discuss the wisdom or unwisdom of the policy of non-resistance which had prevailed to this juncture among the friends of freedom in Kansas. Their situation was difficult and delicate. The National Administration was the ally of their insolent and brutal foes in Missouri and the South. Rival ambitions distracted their councils. Many of the colonists from Indiana, Illinois, and other States along the border, though opposed to slavery, were equally hostile to free negroes, and insisted that they should be excluded from the State. Some favored immediate emancipation; others thought slavery should not be disturbed where it existed. Diplomacy was required to avoid dissension. Passion, violence, and retaliation might have invoked more irreparable disasters, though nothing could have much retarded the crisis which we now see had been long impending.

John Brown regarded the policy as nerveless and emasculated. It became soon apparent that he was in earnest. His impatient criticisms upon the political leaders were caustic and intolerable. He was not a politician, and wanted no office. He had no sympathy with the demand that Kansas should be a free white State. He believed in the Fatherhood of God and the brotherhood of Man.

The effect of the destruction of Lawrence was instantaneous. Emboldened by their long immunity, the pro-slavery leaders openly avowed the policy of extermination, and called upon their followers, in the chastely picturesque language of the Squatter Sovereign newspaper, to "tar and feather, drown, lynch, and hang every white-livered abolitionist who dares to pollute our soil."

The company to which John Brown and his sons belonged had marched to the relief of Lawrence on the 21st, but learning of its destruction, had camped in the valley of Ottawa Creek, several miles South. The next day, Major Williams, a neighbor and friend of the Browns, rode into camp and told them that trouble was anticipated on the Potawatomie. 'Squire Morse had been notified to leave the Territory within three days. John Grant, Mr. Winer, and several others in the same neighborhood, had received similar notices from George Wilson, the probate judge of the county. Judge Hanway of Lane, who lived near, and whose death occurred recently, says the conspiracy was formed to "drive out, burn and kill; and that Potawatomie Creek was to be cleared of every man, woman and child who was for Kansas being a free State."

Among the most active and resolute of these "law-and-order" partisans were the Doyles, father and sons, the brothers William and Henry Sherman, Allen Wilkinson, and George Wilson. Wilkinson, a native of Tennessee, was postmaster, and had been a member of the bogus legislature. He was a violent ruffian, and his widow remarked to Dr. Gillpatrick, the first person who called on the morning after his death, that she had often urged him to be more quiet and moderate in his language, but that he would not heed her advice. When the news of the fall of Lawrence arrived, Henry Sherman raised a red flag over his cabin, and announced that the war had begun. Henry was an amiable person. In a previous judicial proceeding he declared, under oath, that he "would rather kill that old man who wore spectacles and lived on the hill than to kill a rattlesnake." The object of his animadversion was the Rev. David Baldwin, long afterward resident at Garnett, in an adjoining county.

The story of the death of these men has been circumstantially told by James Townsley, who accompanied the expedition, and, barring some tawdry rhetoric, is fairly repeated by David N. Utter; but he omits to add what Townsley says in his statement on the 3d of August, 1882, as to the effect of the killing. His words are:

"I became, and am satisfied that it resulted in good to the Free State cause, and was especially beneficial to the Free State settlers on Potawatomie Creek. The pro-slavery men were dreadfully terrified, and large numbers of them left the Territory. It was afterward said that one Free State man could scare a company of them."

Judge Hanway, before quoted, says:

"I did not know of a settler of '56 but what regarded it as amongst the most fortunate events in the history of Kansas. It saved the lives of the Free State men on the Creek, and those who did the act were looked upon as deliverers."

One of the most eminent of the Free State leaders, who is still living, writes:

"He was the only man who comprehended the situation, and saw the absolute necessity for some such blow, and had the nerve to strike it."

Another prominent actor writes:

"I wish to say right here about the Potawatomie Creek massacre, which has been the theme of so much magazine literature, that at the time it occurred it was approved by myself and hundreds of others, including the most prominent of the leaders among the Free State men.

"It was one of the stern, merciless necessities of the times. The night it was done I was but a few miles away on guard, to protect from destruction the homes of Free State men and their families, who had been notified by these men and their allies to leave within a limited time or forfeit their lives and property. The women and children dared not sleep in the houses, and were hid away in the thickets. Something had to be done, and the avenger appeared, and the doomed men perished,—they who had doomed others."

It was the "blood-and-iron" prescription of Bismarck. The pro-slavery butchers of Kansas and their Missouri confederates learned that it was no longer safe to kill. They discovered, at last, that nothing is so unprofitable as injustice. They started from their guilty dream to find before them, silent and tardy, but inexorable and relentless, with uplifted blade, the awful apparition of vengeance and retribution.

When John Brown, Jr., learned of the massacre, we are informed that he resigned his command and went home, where he was soon after arrested. So great was his abhorrence of his father's crime that he became insane, and during his ravings denounced his father as an atrocious criminal and unmitigated coward. These statements are made upon the testimony of G. W. Brown, in the "Herald of Freedom," in 1859. The witness may be competent, but he is not disinterested. He sustains the same relation to the antislavery men of '56 that Judas Iscariot did to the disciples, and is as well qualified to write their history as Judas Iscariot would be to revise the New Testament. John

Brown, Jr., instead of being "arrested," was captured by Captain Pate, manacled with ox-chains, and driven under a hot sun till he became delirious from heat, fatigue, and hunger. He wrote many letters to his father while in captivity. The following extracts from one, dated September 8, 1856, will show the relations that existed between them, and the opinion he entertained of his father:

"DEAR FATHER AND BROTHER: . . . . Having before heard of Frederick's death, and that you were missing, my anxiety on your account has been most intense. Though my dear brother I shall never see again here, yet I thank God you and Jason still live. Poor Frederick has perished in a good cause, the success of which cause I trust will yet bring joy to millions. . . .

"I can, I have no doubt, succeed in making my escape to you from here. . . . . I am anxious to see you both, in order to perfect some plan of escape, in case it should appear best. Come up if you consistently can. The battle of Osawatomie is considered here as the great fight so far, and, considering the enemy's loss, it is certainly a great victory for us — certainly a very dear burning of the town for them. . . . . Every one I hear speaking of you are loud in your praise. The Missourians in this region show signs of great fear. . . . . Hoping to see you soon, I am, as ever,

Your affectionate son and brother.

The effect of the transaction upon Kansas, according to David N. Utter, was "only evil," and upon the career of John Brown was "pervasive, decisive, overwhelming," whatever that may mean. He could not live in Kansas, continues the veracious chronicler, nor anywhere else safely, so he disguised himself by cutting off his beard and fled to New England, where he won the confidence of some of her greatest and noblest men; after which he hovered on the border of two States, waiting for a signal from some unknown person to come over to Kansas and massacre a constitutional convention. There were so many in those days that one could have been killed without being missed; but for some reason the plot failed, and after awhile he ventured into Kansas again, made a raid into Missouri, captured some slaves, and escorted them to Canada.

This reaches the true dignity of history. As a matter of fact, John Brown did live many months in Kansas, after the Potawatomie slaughter. He participated in the battles at Franklin, Battle Mound, Sugar Creek, Osawatomie, and Black Jack. He was present at the siege of Lawrence in September,

and soon after went East for funds and arms. He lay ill several weeks in Iowa, but reached Chicago in November. Early in 1857 he reached Boston, and appeared "in disguise" before the Legislature, asking an appropriation of ten thousand dollars to defend northern men in Kansas. Later in the season he returned to the Territory, where he remained with brief intervals of absence till January, 1859, organizing his forces for the final crusade against slavery, in accordance with plans long entertained and definitely embodied in his "Provisional Constitution" framed at Chatham, Canada West, in May, 1858.

In December, 1858, a negro from Missouri came to his cabin on the Osage, and informed him that he was about to be sold, with his family, and begged for aid to escape. John Brown immediately organized two companies, invaded Missouri, liberated eleven slaves, and returned, with the supplies necessary for their support. The Governor of the State offered three thousand dollars reward for the arrest of John Brown, which the President of the United States supplemented with an offer of two hundred and fifty more. John Brown retorted by a printed proclamation offering two dollars and fifty cents for the delivery of James Buchanan to him in camp. He moved slowly northward with his four families of emigrants, colonized them near Windsor in Canada, in March, 1859, and returned to Kansas no more.

His subsequent career belongs to the history of the nation. Out of the portentous and menacing cloud of anti-slavery sentiment that had long brooded with sullen discontent, a baleful meteor above the North, he sprang like a terrific thunderbolt, whose lurid glare illuminated the continent with its devastating flame, and whose reverberations among the splintered crags of Harper's Ferry were repeated on a thousand battle-fields from Gettysburg to the Gulf. From the instant that shot was fired the discussion and debate of centuries was at an end. He who was not for slavery was against it. The North became vertebrated, and the age of cartilage and compromise was at an end. The nation seized the standard of universal emancipation which dropped from his dying hand on the scaffold at Charleston, and bore it in triumph to Appomattox.

He died as he had lived, a Puritan of the Puritans. There was no perturbation in his serene and steadfast soul. Few productions in literature are more remarkable than his letters

written in prison, while he was under sentence of death. He said:

"I can trust God with both the time and the manner of my death, believing, as I now do, that for me at this time to seal my testimony for God and humanity with my blood will do vastly more toward advancing the cause I have earnestly endeavored to promote than all I have done in my life before."

"As I believe most firmly that God reigns, I cannot believe that anything I have done, suffered, or may yet suffer, will be lost to the cause of God or humanity; and before I began my work at Harper's Ferry I felt assured that, in the worst event, it would certainly pay."

"I am quite cheerful. I do not feel myself in the least degraded by my imprisonment, my chains, or the near prospect of the gallows. Men cannot imprison, chain, nor hang the soul! . . . I am endeavoring to get ready for another field of action, where no defeat befalls the truly brave."

"It is a great comfort to feel assured that I am permitted to die for a cause, and not merely to pay the debt of nature which all must. I feel myself to be most unworthy of so great distinction."

"I feel just as content to die for God's eternal truth, and for suffering humanity, on the scaffold as in any other way."

"I think I cannot now better serve the cause I love so much than to die for it: and in my death I may do more than in my life."

"I do not believe I shall deny my Lord and Master Jesus Christ, and I should if I denied my principles against slavery."

What immortal and dauntless courage breathes in this procession of stately sentences; what fortitude; what patience; what faith; what radiant and eternal hope! No pagan philosopher, no Hebrew prophet, no Christian martyr, ever spoke in loftier and more heroic strains than this "Coward and Murderer," who declared, from the near brink of an ignominious grave, that there was no acquisition so splendid as moral purity; no inheritance so desirable as personal liberty; nothing on this earth nor in the world to come so valuable as the soul, whatever the hue of its habitation; no impulse so noble as an unconquerable purpose to love truth, and an invincible determination to obey God.

Carlyle says that when any great change in human society is to be wrought, God raises up men to whom that change is made to appear as the one thing needful and absolutely indispensable. Scholars, orators, poets, philanthropists, play their parts, but the crisis comes at last through some one who is stigmatized as a fanatic by his contemporaries, and whom the supporters of the systems he assails crucify between thieves or gibbet as a felon.

The man who is not afraid to die for an idea is its most potential and convincing advocate.

Already the great intellectual leaders of the movement for the abolition of slavery are dead. The student of the future will exhume their orations, arguments, and state papers, as a part of the subterranean history of the epoch. The antiquarian will dig up their remains from the alluvial drift of the period, and construe their relations to the great events in which they were actors; but the three men of this era who will loom forever against the remotest horizon of time, as the pyramids above the voiceless desert, or mountain peaks over the surbordinate plains, are Abraham Lincoln, Ulysses S. Grant, and Old John Brown of Osawatomie.

J. J. INGALLS.

MUST THE CLASSICS GO?

Is classical training necessary in liberal education? To appreciate this question we must first know what education means. Every man is born into this world ignorant both of himself and his surroundings, but to act his part so as to reach success and happiness needs to understand them both. Therefore, he must learn; and having to learn, must be educated. This will involve two processes:

1. The development of man's power to master himself and circumstances, by training every capacity to its highest energy, — discipline. 2. Communication of the most valuable knowledge,— information. Both are necessary. Discipline precedes information, because power precedes acquisition. Information completes discipline by yielding actual results in the world. In a word, discipline gives power to acquire information, and the total result is culture.

The two great instruments of educational discipline and information have hitherto been mathematics and language, leading to physical, intellectual, and social sciences, and these again culminating in a philosophy or study of first principles of all things. On this basis our college education has been built. None propose excluding mathematics. Few question the need of studying language in some form. But when the classical languages are proposed as essential to liberal education, objections arise and pronounced attacks are made. I propose merely three things:

I. To enumerate the objectors and answer their objections.

II. To state the positive argument for classical training.

III. To state the reasons for retaining Greek as well as Latin.

I. The objectors and their objections. These are:

1. Men of active rather than contemplative temperament. They care chiefly for what prepares immediately for some

specific calling, and are so absorbed in civil and commercial activities that they value only what bears obviously in these lines. John Stuart Mill has well shown the weakness of this position:

"Experience proves that there is no one study or pursuit which, practiced to the exclusion of all others, does not narrow and pervert the mind; breeding in it a class of prejudices special to that pursuit, besides a general prejudice common to all narrow specialities against large views from an incapacity to take in and appreciate the grounds of them. We need to know more than the one thing that is to be our principal occupation. This should be known as well as it can be known, but we should also acquire a clear general knowledge of the leading truths of all the great subjects of human interest."

2. Those who have never studied the classics. Many are college graduates. But their objection, if good, is good against any study they may have failed to appreciate from want of proper teaching, of application, or of capacity. Herbert Spencer, a pronounced enemy of the classics, does not profess to read them except in translations. In this respect, many college men resemble Mr. Spencer.

3. Those who are imbued with the money-making spirit of the age. These, if they believed that studying Greek and Latin was the road to wealth, would all worship classical culture. But to-day the obvious, the "effective," the "realistic," the perversely vulgar, nursed on money-worship and covered skin-deep with affected cultivation, is too apt to crowd out the thoughtful and refined, and smother to death the heroic. Neither the hostility nor the approbation of this element counts for anything, because wholly ignorant and selfish.

4. Those who dislike classical studies because of distaste for any severe training, and a corresponding relish for lighter arts and accomplishments. They want culture only so far as it is immediately enjoyable. They desire results without the process, and so would resist thorough training in anything. Hence they answer themselves.

5. Those who believe literature necessary, but think modern languages should be substituted, as being genuine literature, and a necessary part of modern life. But to study modern languages we do not need to displace the classics. The trouble here is not the difficulty of making place for an extensive language course, but the prevalence of bungling methods of

teaching, and the excessive time wasted on elementary mathematics, especially arithmetic, in so many schools. No such trouble exists in Germany. There, only one-sixth of the time, at the most, goes to mathematics, while to language even the Realschulen, or scientific schools, give two-sixths, and the Gymnasia four-sixths of their time. If, then, there is room for both, why not teach both? Suppose, however, we have to make the choice. The reasons for retaining the classics would be most cogent.

First. Because they are immeasurably superior to modern languages as means of discipline. Their structure is regular and highly complex. Modern languages do not contain material out of which to construct a logical grammar like theirs. What does English, French, or German grammar amount to? Simply *débris* of the classical languages, mixed with barbaric elements.

Second. Even if modern languages equaled the classics in structure, they would be less likely to be used consistently for discipline. So much time necessarily goes to mastering pronunciation and acquiring merely facility of use, which necessitates only inferior mental effort, that this is often mistaken for mastery of the language. Furthermore, modern languages are too near our own modes of thinking to help us enlarge our knowledge in kind by entering widely different fields of thought, as we need to do.

Third. No modern languages have yet stood the great test of permanence which the classics have now endured for more than twenty centuries. Only a dozen generations have read Shakespeare. But Homer has already led the way to literary immortality for a hundred generations, with Plato, Virgil, and Horace not far behind.

Fourth. Modern languages, just because modern, are growing, and hence ever changing. This unfits them to be a permanent basis for culture.

6. Some advocates of physical science. Their objection is that science (meaning physical science) furnishes better discipline and information than the classics or anything else. Suppose it does. Must we study only physical science? Is there no room for any other training? May not classical training be scientific too? If correct, must it not be scientific?

But this objection is composite. Let us examine its parts; they are as clearly stated in Herbert Spencer's book, "Education," as anywhere.

"But now mark that, while for the training of mere memory, science is as good as, if not better than, language, it has an immense superiority in the kind of memory it cultivates. . . . Language establishes 'connections of ideas' based upon facts 'in a great measure accidental,' but science upon facts 'mostly necessary.' Though words and their meanings have relations 'in some sense natural'; yet since 'in the acquisition of languages as ordinarily carried on, these natural relations between words and their meanings are not habitually traced nor the laws regulating them explained, it must be admitted that they are commonly learned as fortuitous relations. On the other hand, the relations presented by science are causal relations, and, when properly taught, are understood as such.' Language 'exercises memory only, the other exercises both memory and understanding.'"

What greater error could be written? Examine it: science is superior in "the kind of memory it cultivates,"—that is, causal memory. Is there no causal memory in learning the structure of the Greek verb, the "build" of complex etymology, the orderly logic of syntax? Can it avoid being causal? Are there not laws of discourse, necessities in order and display of thought? Is antique civilization—the one world-wide civilization of history, all whose features are in its literature, whose rise, organic growth, decay, and death, run in long lines for centuries, to be learned by rote?

But Mr. Spencer's contrast is made out in unfair language. It is not allowable to draw inferences, as if from premises of equal value, by phrasing things in this way, "the acquisition of languages, as ordinarily carried on," and then, "the relations which science presents are causal relations, and, when properly taught, are understood as such." Of course they are, and so are they in language, "when properly taught." His next objection —that science better cultivates the judgment—is of the same nature as his remarks on memory. He fails to see that classical study deals not merely with words, but with things, with a vast body of remarkable fundamental phenomena, and hence the judgment must be highly exercised.

Mr. Spencer next insists that science is best for moral training.

"The learning of languages tends, if anything, to increase the already undue respect for authority. . . . By the pupil, the teacher's or grammar's dicta are received as unquestionable. His constant attitude of mind is that of submission to dogmatic teaching. And a necessary result is to accept without inquiry whatever is established. Quite opposite is the frank, independent attitude of mind generated by the cultivation of science."

This is simple quibbling. Apply it to any science, say chemistry, and you could not require a student to "submit" to the

"dogmatic teaching" that inculcates authoritatively (though only provisionally) its symbols, atomic weights, formulæ, specific gravities, and entire stock-knowledge. So in history, in teaching events and dates. So in arithmetic, numbers and their relations must first be learned arbitrarily or not learned at all. So in teaching a child the alphabet or even his own name.

But this is self-destructive also, as already hinted. All teaching must be instilled dogmatically at first, and, unless the pupil accepts it, no progress of any sort is possible. Now, in the classics, "when properly taught," and in all genuine teaching, this dogmatic communication must be received, but received provisionally as a basis for further investigations, to be verified or disproved, as the pupil's experience and discerning powers increase. What, then, becomes of Mr. Spencer's argument for scientific education? Science, to be taught, must be "dogmatic" in its beginnings, or else becomes unteachable, and must "go."

Mr. Spencer lastly claims transcendent value for science against the classics as "information." But is physical science the only science? Is not man, is not humanity full of scientific phenomena? Is it not man's interest to know himself, in order to become what he ought to be, more than to know or do anything else? Are not his thoughts the expression of himself, and language the outside, of which all human thought is the inside? In this light, language is as worthy of scientific study as external nature.

7. Those who have suffered from erroneous methods of teaching. Here is the strongest source of attack. A great field is occupied by teachers mostly unacquainted with the art of teaching. In mathematics this difficulty is less troublesome. Everything there is "exactly right" or "exactly wrong." Method, the key to all education, lies on the surface and is simple rigorous deduction, constantly asserting itself and revenging its violations immediately. It is therefore easily acquired, and hence good elementary mathematical teachers are numerous and commercially cheap. Not so in classics. Here we encounter a grammar the most perfect yet discovered, constructed from languages rich to completeness in a vast variety of inflectional forms, with vocabularies where every word, even every word-element, indicates a distinct thought, with a syntax articulated to every imaginable kind and form of thinking; we meet a literature embracing acknowledged

models in every style, and stored with the wisdom of a great civilization now passed away, but on which we stand. Method does not lie on the surface here. It must be hunted out with great patience, and needs thorough philosophical powers, first to discover, and next to apply it in teaching. Hence, good classical teachers are rare, and consequently expensive. Here the financial necessities of schools come in, and secure cheap teachers who, of course, do cheap teaching. Ignorant of the *rationale* of their subject, their pupils become still more so, and plod drearily along or else evade their tasks, receiving a minimum of benefit outweighed by a maximum of mental injury. Hence, many array themselves against the classics. Their hatred of the caricature is just; their enmity to the culture itself is deplorable.

II. The positive argument for classical training.

Every man's entire life is occupied with one continuous process of thought, of which the simplest, easiest, and one universal instrument is language. At the basis of knowledge lies the fact that we think of things. What we think is thought, and the expression of thought is language. If our thought tallies exactly with the thing thought of, we have an exactly correct thought, and if expression tallies with thought we have an exactly correct expression. Things underlie thought; thought underlies language. Here is the heart of the subject. Only as language and thought coincide, can knowledge itself be communicated and preserved; while so long as they are equivalent, language is as good as thought, just as a sound paper currency is as good as the gold it represents.

What does all this necessitate in education? Not teaching all languages. This is practically impossible. It therefore involves a selection of those best suited to accomplish the processes of education,— discipline and information. If, then, we can discover which languages these are, we must adopt them as the basis of all thorough literary education.

For educational purposes we make two classes, a man's native tongue and foreign languages. The first we must know, of course, as it is our chief means of intercourse. But we need more, both to understand English itself and enlarge our range of knowledge and so obtain completeness of power. Hence we need foreign languages. These are of two sorts, ancient and modern. From the first class all are prepared to rule out Oriental languages. What remains? Latin and Greek, the two

fundamental languages of European culture wherever it has spread. From the second we rule out as unessential all except French and German. I firmly believe we can teach all four,—Latin, Greek, French, German,—with English as well, under any well-ordered system, and if we could not, modern languages might easily be acquired outside of our schools.

However, I ground the claim of the classical languages to a preëminent place on their immense superiority over all other languages, living or dead, as means of mental discipline. Let us hear Mr. Mill's argument for this:

"Even as mere languages, no modern European language is so valuable a discipline to the intellect as those of Greece and Rome, on account of their very regular and complicated structure. Consider for a moment what grammar is. It is the most elementary part of logic. It is the beginning of the analysis of the thinking process. The principles and rules of grammar are the means by which the forms of language are made to correspond with the universal forms of thought. The distinctions between the various parts of speech, between the cases of nouns, the modes and tenses of verbs, the functions of participles, are distinctions in thought, not merely in words. Single nouns and verbs express objects and events, many of which can be cognized by the senses; but the modes of putting nouns and verbs together, express the relations of objects and events, which can be cognized only by the intellect; and each different mode corresponds to a different relation. The structure of every sentence is a lesson in logic. The various rules of syntax oblige us to distinguish between the subject and predicate of a proposition, between the agent, the action, and the thing acted upon; to mark when an idea is intended to modify a quality, or merely to unite with some other idea; what assertions are categorical, what only conditional; whether the intention is to express similarity or contrast, to make a plurality of assertions conjunctively or disjunctively; what portions of a sentence, though grammatically complete within themselves, are mere members or subordinate parts of the assertion made by the entire sentence. Such things form the subject matter of universal grammar; and the languages which teach it best are those which have the most definite rules, and which provide distinct forms for the greatest number of distinctions in thought, so that if we fail to attend precisely and accurately to any of these we cannot avoid committing a solecism in language. In these qualities the classical languages have an incomparable superiority over every modern language, and over all languages, dead or living, which have a literature worth being generally studied."

So, too, in their value as literature. Mr. Mill continues:

"But the superiority of the literature itself, for purposes of education, is still more marked and decisive. Even in the substantial value of the matter of which it is the vehicle, it is very far from having been superseded. The

discoveries of the ancients in science have been greatly surpassed, and as much of them as is still valuable loses nothing by being incorporated in modern treatises; but what does not so well admit of being transferred bodily, and has been very imperfectly carried off, even in piecemeal, is the treasure which they accumulated of what may be called the wisdom of life; the rich store of experience of human nature and conduct, which the acute and observing minds of those ages, aided in their observations by the greater simplicity of manners and life, consigned to their writings, and most of which retains all its value. Their writings are replete with remarks and maxims of singular good sense and penetration, applicable both to political and to private life; and the actual truths we find in them are even surpassed in value by the encouragement and help they give us in the pursuit of truth.

"Human invention has never produced anything so valuable, in the way both of stimulation and of discipline, to the inquiring intellect, as the dialectics of the ancients, of which many of the works of Aristotle illustrate the theory and those of Plato exhibit the practice. No modern writings come near to these in teaching, both by precept and example, the way to investigate truth on those subjects, so vastly important to us, which remain matters of controversy from the difficulty or impossibility of bringing them to a directly experimental test. To question all things; never to turn away from any difficulty; to accept no doctrine, either from ourselves or from other people, without a rigid scrutiny by negative criticism, letting no fallacy or incoherence or confusion of thought slip by unperceived; above all, to insist upon having the meaning of a word clearly understood before using it, and the meaning of a proposition before assenting to it; these are the lessons we learn from the ancient dialecticians. With all this vigorous management of the negative element, they inspire no skepticism about the reality of truth or indifference to its pursuit. The noblest enthusiasm, both for the search after truth and for applying it to its highest uses, pervades these writers, Aristotle no less than Plato, though Plato has incomparably the greater power of imparting those feelings to others. In cultivating, therefore, the ancient languages as our best literary education, we are all the while laying an admirable foundation for ethical and philosophical culture.

"In purely literary excellence, in perfection of form, the preëminence of the ancients is not disputed. In every department which they attempted — and they attempted almost all — their composition, like their sculpture, has been to the greatest modern artists an example to be looked up to with hopeless admiration, but of inappreciable value as a light on high guiding their own endeavors."

Has not Mr. Mill covered the whole case?

III. The reasons for retaining Greek as well as Latin.

1. There is time to teach both without injuring other studies. This has been abundantly proved in the Prussian gymnasia, or classical schools. Latin and Greek form the central core of instruction, occupying half their entire time. They also teach the Christian religion, German, French, history, geography, arithmetic, algebra, plane and solid geometry, plane trigonome-

try, natural history, physics, writing, drawing, music, gymnastics. Where do they save time for this? Mainly in mathematics and physical science, which receive jointly less than half the time given Latin and Greek, or but a trifle more than is given Greek alone.

We should imitate the German example. First, by lessening the excessive time devoted to such study, for example, as arithmetic. In some States it has received over half the entire school-time in certain years. Why should mathematics, either in general or in particular, receive three times the attention it receives in Germany? Second, we should teach Greek better, both before and in college. Here time is saved by really using it. Our trouble is not too much Greek, but too much badly taught Greek.

2. Two important languages are better than one. Especially is this true in Latin and Greek, whose differences are even more remarkable than their resemblances.

3. While these differences give Latin a directer connection with our civilization, yet Greek offers a finer instrument for personal culture. Latin is the mother of modern tongues, the language of law, history, empire, practical energy, collective movements of men. But Greek is the mother-tongue of pure thought, the perfect instrument of human reason. The inexhaustible source for deriving the newest scientific terms to record the latest advances of thought in other languages, it yet never seeks to borrow for itself. It is subtler and more exact than Latin, more distinct in separate forms, more complex in masses, and more intimate in its mental attitude.

4. The Greek spirit, best studied at its original sources, is distinctively the great incentive to high creative effort in art. Antique sculpture and architecture—indispensable to art-students to-day—were its early children. Homer was its first poet, and his spell has worked in every world-renowned epic since. Its light was hidden in the Dark Ages, but when the Reformation unlocked man's conscience, the Florentine Greeks unlocked his intellect. Canova, Leonardo da Vinci, Raphael, Michael Angelo,—these were but Greeks late born. Greek rhythms rule modern music. Read the scores of Palestrina, any fugue of Bach, or Beethoven's symphonies. Read Wagner's great letter on "The Music of the Future." All are Greek throughout.

5. It is the truly scientific spirit. Not that the Greeks observed so many facts, but that they taught the world how to think. Huxley to-day vindicates Aristotle's scientific acuteness. Agassiz has shown that he also observed important facts about Mediterranean fishes, and, though the fishes remained abundant, the facts were only brought to light in modern times by consulting Aristotle's work. The facts were the same; the observers were not Aristotles. Passing these minutiæ, look at our standard scientific conceptions: "ideas," "method," "theory," "practice," "hypothesis," "energy," "atoms," and the nomenclature of science,—all essentially Greek. Examine conflicting schools of thought. All have Greek prototypes. Men to-day are naturally what the Greeks first were historically,—stoics and epicureans, dogmatists and skeptics, materialists and idealists, agnostics and theists, and battle in the endless war of ideas bequeathed from their Greek ancestors. The stream of history is one. Who shall divide it?

6. Lastly, Latin itself is injured by separating it from Greek. Withdrawing Greek means crippling Latin. This helps to disintegrate classical culture, and so disastrously affects liberal education. As to the injury done Latin. This follows from the relations of the two languages, but I pass this and again appeal to the invaluable experience of Germany. The studies of the Gymnasia have been already stated. Alongside of this stands the Realschule, whose general make-up is the same, except that, though Latin is retained, Greek is dropped, English and chemistry added, and mathematics and science increased one-half. In revised plans of instruction issued in 1882 for secondary schools, by the Ministry of Education, and containing criticisms on the past twenty-five years' experience, these comments occur: "In the Realschulen the result from the Latin instruction by no means corresponds either with the amount of time devoted to it or to the importance assigned this instruction in the general plan of these institutions." This arises from the small number of hours given Latin, and from the excess of natural science which has proved "decidedly disadvantageous." No such complaints arise about gymnasial teaching either of Latin or science. Wherein does the Realschule fail? Just where it differs from the Gymnasia—that is, in the absence of Greek and consequent excess of science. "The main point," says the "Opinion" of the University of

Berlin, "is that the instruction given in the Realschule lacks a central point; hence the unsteadiness in its system of teaching. . . . In a word, it has not been possible to find an equivalent for the (two) classical languages as a center of instruction."

As to the injury done to liberal education. To prove this I take the best test in the world,—comprehensive educational experience of undoubted authority. In 1870 the Prussian Ministry of Education determined to try the experiment of granting university privileges to Realschulen graduates alongside of those coming from Gymnasia. After over ten years of such trial, the Philosophical Faculty of the University of Berlin has recorded its judgment on the matter in an "Opinion" addressed to the Ministry of Education. This is the central faculty of the university, including all departments except Law, Medicine, and Theology. It numbers over one hundred instructors, and provides about two hundred courses of lectures. It enrolls such names as Helmholtz the physicist, Kirchhoff in spectrum analysis, Hofmann in chemistry, Ranke and Droysen in history, Mommsen and Curtius in the classics, and Zeller in philosophical criticism. If we desired a supreme court of culture to decide the classical question, to what better tribunal could we appeal than this?—the central faculty of the most illustrious university of the best educated nation in the world. Its judgment, always weighty, is here simply irresistible, because based upon careful investigation, and unanimous.

The "Opinion" rests upon the testimony of those instructors who have taught Realschule and Gymnasia graduates together. These are the professors of mathematics, astronomy, chemistry, descriptive natural science, philosophy, economics, statistics, and modern languages. Their testimony, detailed with great clearness, is strongly adverse to allowing Realschule graduates a continuance of university privileges. Many grave evils due to their admission are enumerated, and the Faculty expresses the conviction that, unless Prussia is ready to surrender her historic university system, "it is doubly hazardous" to shut their eyes to causes that, unchecked, will bring about this deplorable result. The essence of their judgment is in these words:

"The preparatory education acquired in Realschulen is, taken altogether, inferior to that guaranteed by the Gymnasia." This is for many reasons, "but above all, because the ideality of the scientific sense, interest in learning not dependent on nor

limited by practical aims, but ministering to the liberal education of the mind as such, the many-sided and widely extended exercise of the thinking power, and an acquaintance with the classical bases of our civilization can be satisfactorily cultivated only in our institutions of classical learning." Such is the strongest plea yet made for classical education in all its integrity. Is it sufficient? If not, what can be?

Greek need not go. Let it remain. Rather let it begin to come. It was born in the morning of history. Mythology fabled that its heroes were the children of immortals, and the records of humanity promise to confirm that claim. It schooled antiquity; it has been the historic safeguard for freedom of thought; it awakened the modern mind; it contains the most precious literary treasures of the race. Its corporeal form — the ancient civilization — has perished. Its material works of art, of priceless value, survive only in the crumbling column, the ruined temple, or the statue insecurely housed in some museum against Vandals of future time. But its best monument is its literature, multiplied a thousand-fold by the printer's art and imbedded in succeeding civilized thought. This still remains to challenge mankind in "charmed accents." In the pages of its texts, saved by centuries of diligence, the scholar by his quiet lamp reads back, through long perspectives of perfect thought, to the very beginnings of things intellectual. He gains a viewpoint where all lines of his intellectual being center and whence they broadly radiate. He sees the past sweeping on through the present and flowing widely into the far future. He sees that humanity, both individually and in the mass, is thus always one, and its generations, separate in time, united in nature; and so, instead of studying Greek because it is Greek, he studies it to understand himself.

ANDREW F. WEST.

RACE PROGRESS IN THE UNITED STATES.

THE problems of our growth in wealth and population are of deep interest to the people of the Union. I propose to present the results as to population deduced from the census of 1880, compared with every preceding one. First, I will give a table of total population at each census and the rate of increase for each decennial period:

(A.)

1790	1800	1810	1820	1830
3,929,214 ..	5,308,483 ..	7,239,881 ..	9,633,822 ..	12,866,020
	In. 35 p.c. ..	In. 36.3 p.c. ..	In. 33 p.c. ..	In. 33.5 p.c.

1840	1850	1860	1870	1880
17,069,453 ..	23,191,876 ..	31,443,321 ..	38,558,371 ..	50,155,783
In. 32.6 p.c. ..	In. 35.8 p.c. ..	In. 35.5 p.c. ..	In. 22.6 p.c. ..	In. 30.1 p.c.

Total increase from 1790 to 1880, 1176 per cent.

This progressive and total increase is due to several causes, which, being noted according to the dates of their special operation, will explain the variations of increment in the several decades. These (the principal) causes are:

First. Natural increase, unchecked by want or crowded cities, or a too dense rural population. This operates more favorably to increment in the earlier than the later decades.*

* Compare this with the increase in the countries of the Old World. Adam Smith a century ago said the old countries then doubled population in five hundred years. We have increased twelve-fold in ninety years. England and Wales have trebled their population in the last eighty years; Scotland has doubled, and Ireland has decreased in population; Spain has increased 75 per cent. in a century; France less than the others. These figures show that population is the test of the well-being of a people or race.

Second. Immigration. This has operated powerfully during the whole period, but more so in the later decades; and its effect will be more specially noted hereafter.

Third. Acquisition and loss of territory. Thus, in 1803, Louisiana was acquired, which served to raise the increment of that decade to 36.3 per cent. Emigration to Texas of whites and slaves during the decade 1830-40 depressed the increment to 32.6 per cent. The acquisition of Texas, California, and other Mexican territory during the decade 1840-50 raised the increment of that decade to 35.8 per cent.

Fourth. The war from 1861 to 1865, and the very defective enumeration under the census of 1870, depressed the estimated increment of the decade 1860-70 to 22.6 per cent., which again rose to 30 per cent. in the last decade,—an erroneous comparative result, because the enumeration by the census of 1870 was defective, as I will show hereafter.

Let us now note the rate of natural increase of the several elements of which our population is composed; for it is in this natural increase that we shall find the best evidence of the comfort, well-being, and capacity for expansion of our people. In order to compare the natural increase of the native white people at different periods with that of other races, we must eliminate from the census returns of white people the increase due to immigration and territorial acquisitions. The data for ascertaining the immigration to this country are not accurate. We can only hope to approximate the numbers.

Dr. Young, chief of the Bureau of Statistics, in his report for 1875, p. 914, estimates the gross number from 1790 to 1820 as 250,000. Mr. George Tucker, formerly professor of political economy in the University of Virginia, and an able, careful, acute, and reliable statistician, in his "Progress of the United States," published in 1843, has, on such data as he could then obtain, estimated the immigration from 1790 to 1840 in this way: taking the gross number of immigrants in any decade, he adds 20 per cent. upon the adults of that number as their natural increase up to the end of the decade. In this way he estimates the increase of the decade 1790-1800 as 58,000; of 1800-10 as 82,000; and of 1810-20 as 133,400. This aggregates 273,400, which is not, except as it takes in as a factor the natural increase of the immigrant class, materially different from the estimate of Dr. Young.

His estimates for the decades 1820–30 and 1830–40 are based upon a supposed (and perhaps properly supposed) defectiveness in the official returns. But for our purpose we will take the returns of Dr. Young in his report (1875) up to 1870, with the addition of natural increase on 80 per cent. of the whole (the proportion of adult immigrants) at the rate of 20 per cent. for the decade. From these we will deduct the immigrants not intending to remain, as found in his tables. We will also deduct the emigrants where they have been reported, as they have been since 1867, and will estimate for previous decades the number of these. It is obvious that these factors in the calculation are by no means accurate, but they are the best we can obtain. The results are stated in table (B); and as they are estimated on conjectural data, we have taken the liberty of stating them approximately in round numbers:

(B.)

ESTIMATED INCREASE OF POPULATION BY IMMIGRATION FROM 1790 TO 1880.

1790–1800	1800–10	1810–20	1820–30	1830–40
58,000	82,000	133,400	130,000	580,000

1840–50	1850–60	1860–70	1870–80
1,810,000	2,850,000	2,500,000	2,700,000

There are other elements in the problem which we can only approximate. Mr. Tucker states the number of whites acquired in 1803 with Louisiana as 51,000. The white population which emigrated to Texas after its independence in 1836 may be estimated at 20,000. Upon the admission of Texas into the Union in 1845, and of California and other Mexican territory in 1848, we had an accession of white population which we may estimate at 150,000, by discounting the returns of the census of 1850 for those regions by the estimated movement of our own people to them after their incorporation into our own domain.

With these data I give table (C).

1—White population by decades, 1790–1880.

2—Actual increase.

3—Deductions for immigration and territorial acquisition.

4—Net natural increase.

5—Percentage of actual and natural increase.

(C.)

1790	1800	1810	1820
Whites . . 3,172,006	4,306,446	5,862,073	7,862,166
	Act. In. 1,134,440	Act. In. 1,555,627	Act. In. 2,000,093
		Imm. . 82,000	
	Imm. 58,000	La. . . . 51,000— 133,000	Imm. 133,400
	Nat. In 1,076,440	Nat. In. 1,422,627	Nat. in. 1,866,693
	Per ct. Act. In., 35.7	Per cent. Act. In., 36.1	Per ct. Act. In., 36.1
	" Nat. In., 33.9	" Nat. In., 33.0	" Nat. In., 31.8

1830	1840	1850
10,537,378	14,195,805	19,553,068
Act. In 2,675,212	Act. In. 3,658,427	Act. In 5,357,263
	Imm. 580,000	Imm 1,810,000
	Emigration	Acq. Texas,
Imm 130,000	to Texas, 20,000— 560,000	Cal., etc., 150,000—1,460,000
Nat. In 2,545,212	Nat. In. 3,098,427	Nat. In 3,897,263
Per ct. Act. In., 34.0	Per cent. Act. In. 34.7	Per cent. Act. In. 37.7
" Nat. In., 32.3	" Nat. In., ... 29.4	" Nat. In 23.9

1860	1870	1880
26,922,537	33,589,377	43,402,970
Act. In. 7,369,469	Act. In. 6,666,840	Act. In. 9,813,593
Imm 2,850,000	Imm 2,500,000	Imm 2,700,000
Nat. In. 4,519,469	Nat. In. 4,166,840	Nat. In. 7,113,593
Per cent. Act. In. 37.6	Per cent. Act. In. 25.1	Per cent. Act. In. 29.2
" Nat. In. 23.1	" Nat. In. 15.4	" Nat. In. 21.1

In relation to the above table it may be remarked that there was a gradual decline of natural increase from 33.9 per cent. in 1790–1800 to 23.1 in 1850–60, except for 1820–30, which is due, no doubt, to the error in immigration for that decade. It should have been much larger, as Mr. Tucker, before cited, has shown. The gradual decline is due to the general law which checks marriages and the lawful natural increase, as an increasing population begins to press upon the supply of the comforts of life, and as luxury makes more needed for comfort than in the primitive stages of society. The great decline of 1860–70 is exceptional, and unquestionably due to the bloody civil war and its attendant evils of breaking up of family relations, etc.

I proceed now to trace the progress of the population of the African race, which may be considered in its twofold condition, up to 1860, as slave and free, and afterward without that discrimination:

(D.)

	1790	1800	1810	1820	1830
Slave	697,681	893,602	1,191,362	1,538,022	2,009,043
Free Col'd	59,527	108,435	186,446	233,634	319,599
Both	757,208	1,002,037	1,377,808	1,771,656	2,328,642

	1840	1850	1860	1870	1880
Slave	2,487,355	3,204,313	3,953,760	None.	None.
Free Col'd	386,293	434,495	488,070	4,880,009	6,580,793
Both	2,873,648	3,638,808	4,441,830		

I give then a table of the percentage of increment by decades of each class.

	1790–1800	1800–10	1810–20	1820–30	1830–40
Slave	27.9	33.	29.	30.6	23.7
Free Colored	81.3	72.2	25.2	36.4	21.
Both	32.2	37.4	28.5	31.3	23.4

	1840–50	1850–60	1860–70	1870–80
Slave	28.7	23.3	All free.	All free.
Free Colored	12.4	12.2	All free.	All free.
Both	23.1	22.	9.8	34.8

Many observations must be made upon these tables.

First. The slave population was increased in a small degree, no one can say how much, by the continuance of the slave trade until January 1, 1808. That raised the percentage of increment in the first two decades. In the decade 1810–20 a large loss was caused by the war of 1812. In the early part of decade 1830–40 it was decreased by unparalleled mortality from disease in the south-western States and by emigration to Texas, and was increased by the admission of Texas in the decade 1840–50.

Second. But note further: the slave population was decreased and the free colored was increased by continual emancipations; and while the same number was taken from one class and added to the other, it raised more largely the percentage of the increment of the free colored, which was smaller in numbers than that of the slave class, which was much more

numerous. Note specially the decade 1820–30, when 15,000 slaves were emancipated in New York and New Jersey, which raised the percentage of the increment of the free colored six per cent. and depressed that of the slaves nearly one per cent.

Third. There was no material increase of either by immigration nor decrease by emigration. The emigration to Canada and elsewhere fully counterbalanced the increase by the slave trade. The totals of slave and free colored, therefore, may be regarded as the results of natural increase.

Fourth. But there is an inaccuracy in these tables which results from the lack of a full enumeration of the colored race in 1870. My reasons for alleging this inaccuracy, in which General F. A. Walker, late superintendent of the census, concurs, are conclusive. They are the following:

a. We have found in table (C.) the natural increase of the white people in the decade 1860–70 to have been 15.4. By table (D.), that of the colored race in the same decade was only 9.8. The white race, wasted by a bloody war, seems thus to have increased 50 per cent. more than the colored race, which was largely, almost entirely, unaffected by it in loss of life! This is absurd.

b. In the decade 1870–80 the colored race seems to have increased 34.8 per cent., and in that of 1860–70 only 9.8; while the white race in the latter increased 15.4, and in 1870–80 21.1. These figures go far to prove that, while the two censuses were substantially accurate as to the white race, there was a great defect as to the colored race in the census of 1870.

c. Take now the double decade from 1860 to 1880, and compare it with the next preceding double decade, 1840–60. The percentage of increment of the colored population in the double decade 1840–60 was 54.5; in 1860–80 it was 48.1; the average for a decade in the former being 27.2, in the latter 24. This strongly tends to show that the defective enumeration of 1870 decreased the apparent increment for 1860–70 and increased that for 1870–80.

d. This conclusion is greatly confirmed by a reference to the census of 1860, 1870, and 1880 in certain States where the colored population are most densely settled. The following table shows the relative increase of the colored population in the two decades:

(E.)

	1860-70		1870-80	
Mississippi	2	per cent. increase.	46	per cent. increase.
Louisiana	4	" "	33	" "
Georgia	17	" "	33	" "
North Carolina	8	" "	35	" "
South Carolina	¾	" "	46	" "
Arkansas	10	" "	75	" "
Alabama	9	" "	25	" "
Maryland	2	" "	20	" "

Taking these tables, subject to the qualifications stated, we may now compare the natural increase of the white and colored races, and of the slave and free colored. Comparing the natural increase of total colored race with that of the white race, and of slave and free colored as separate classes, we have this result:

(F.)

	1790-1800	1800-10	1810-20	1820-30	1830-40
White	33.9	33.	31.8	32.3	29.4
Colored	32.2	37.4	28.5	31.3	23.4
Free Colored	81.3	72.2	25.2	36.4	21.
Slave	27.9	33.	29.	30.6	23.7

	1840-50	1850-60	1860-70	1870-80
White	23.9	23.1	15.4	21.1
Colored	23.1	22.	9.8	34.8
Free Colored	12.4	12.2		
Slave	28.7	23.3		

This table gives results that are subject to important qualifications, which I will now note:

First. The white race, at each census after the first, had an accession of population from immigration, out of which issued a new decennial natural increase. I have deducted the number of immigrants previously, in order to ascertain the natural increase; but the natural increase of these immigrants in the decade next succeeding that during which they came to the country, is proper to be noted as an advantage which the white race has in the comparison with the colored race in the matter of merely natural increase during the whole period. For example: the colored race, slave and free, in 1850 numbered 3,638,808. Its increment in the decade 1850-60 was due solely to propagation. And so in 1870 their increase was due to propagation of those who

had been in like manner increased in number in 1860. But the increase of the white race in 1870 was the result not only of the natural increase of those who, in 1850, had grown to larger numbers in 1860, but of 2,850,000 foreigners who had immigrated before 1860, and became a source of natural increase of the increment of that race noted in 1870. As the natural increase of whites for 1860–70 was 15.4 per cent., that number of foreigners would have increased, at the same rate, 427,500. Deduct this from the total natural increase of whites for the decade 1860–70, and we have the natural increase of the white race for that decade, who had been here in 1850, and still continued here with their descendants in 1860. This deduction would make the percentage of natural increase of the white population, exclusive of that of the foreign immigrants during 1850–60, to be only 14.2 instead of 15.4, as in the above table.

But it is further obvious that, as population increases in a geometrical ratio, all the natural increments by this ratio from the immigrants in successive decades must be discounted from the apparent total increment of white population when you take the whole period of our history from 1790 to 1880.

To make this clear, I will suppose that by natural increase our population doubles in twenty-five years. Suppose, further, that the white and colored races start at a certain time with a million of people each. In twenty-five years each would number 2,000,000. But suppose just after the start 1,000,000 of whites are added by immigration; then in twenty-five years the whites would have 4,000,000, and the colored race only 2,000,000, —the difference of 2,000,000 being made up of the 1,000,000 of immigrants, plus their natural increase. In order to a fair comparison of the rate of natural increase of the two races, we must therefore discount from the whites not only the increase due to immigration, but also the natural increase of that increase; and so at each decade during the whole period.

Second. Note that since 1810 the percentage of increase of slaves exceeds that of free colored, except in the 1820–30 decade. In that decade 15,000 slaves were freed in New York and New Jersey. Deducting this from the number of free colored in 1830, and the increase of that class would be 30.4 per cent. instead of 36.4, and of the slave class would be 31.6 per cent. instead of 30.6. So that it appears that the natural increase of the slaves has been in a much larger ratio than that of the free colored class during our whole history from 1790 to 1860.

Third. While the table shows a larger natural increase for the whites than for the whole colored race, yet this result is subject to several observations. One is, that the amount of increase from immigration during the whole period is conjectural; and in the decades up to 1850 is most probably much below the truth. This error would of course increase to some extent the percentage of natural increase attributed to the white race by the table. Another remark is proper. In this table no discount is made for the natural increase due to the immigrants, which I have already fully explained.

Taking these qualifying circumstances into view, I am satisfied that, while the natural increase of the whites during the period 1790–1860 has been greater than that of the slaves, the difference was comparatively slight. I subjoin a table, which will present this subject in a more compendious shape:

(G.)

White Race in 1790 numbered	3,172,006	Increment as 100 to 670.
" " 1860 numbered (deducting immigrants)	21,275,137	
White Race in 1790 numbered	3,172,006	Increment as 100 to 617.
" " 1860 (deducting immigrants and their natural increase), estimated	19,575,000	
Free Colored Race in 1790 numbered	59,527	Increment as 100 to 821.
" " " 1860 numbered (natural increase and emancipation)	488,070	
Slaves in 1790	697,681	Increment as 100 to 567.
" 1860 (reduced by emancipation)	3,953,760	
Total Colored Race in 1790	757,208	Increment as 100 to 580.
" " " 1860	4,441,830	

Whites to Colored in 1790 as 100 to 23.8, or as 80.7 p. c. is to 19.3 p. c.

Whites (by pure natural increase) to Colored in 1860 as 100 to 22.6, or as 81.5 per cent. is to 18.5 per cent.

Total White (native and foreign) in 1790	3,172,006,	or 80.7 per cent.
Total Colored in 1790	757,208,	or 19.3 "
Total White (native and foreign) in 1860	26,922,537,	or 85.6 "
Total Colored in 1860	4,441,830,	or 14.1 "
Total White (native and foreign) in 1870	33,589,377,	or 87.1 "
Total Colored in 1870	4,880,009,	or 12.6 "
Total White (native and foreign) in 1880	43,402,970,	or 86.5 "
Total Colored in 1880	6,580,793,	or 13.1 "

These statements show that the natural increase of the white population has been slightly greater than that of the colored;

that the white population, native and foreign, has constantly gained upon the colored population; and that while the one has gained nearly six per cent. of the whole since 1790, the other has lost nearly six per cent.; and that in the last twenty years the whites have gained, and the colored people have lost, nearly one per cent. I may stop to notice that the comparison in the last table of the percentage in 1860, 1870, and 1880 is an additional proof of the errors in enumeration of the colored people in the census of 1870, to which I have already referred.

But while this result shows that the Caucasian race is steadily though slowly gaining upon the colored race in numbers in the whole country, an interesting question remains: How is this in the Southern, or lately slave-holding States? I will in the following table group the States in two classes,—those known as the Northern and border slave-holding States, and the Cotton and Gulf States,—and present the numbers of the two classes in each State in 1860 and in 1880, the percentage of each at the two periods, etc. I place Texas by itself, which, though a Gulf and Cotton State, has large elements of growth which belong to the northern tier of Southern States.

(H.)

1860

	Whites.	*Per cent.*	*Colored.*	*Per cent.*
Delaware	90,589	81.1	21,027	18.8
Maryland	515,918	75.	171,131	25.
Virginia, West Virginia,	1,047,299	65.6	548,907	34.4
North Carolina	629,942	70.5	361,522	29.5
Kentucky	919,484	79.5	236,167	20.5
Tennessee	826,722	74.4	283,019	25.6
Arkansas	324,143	74.5	111,259	25.5
Missouri	1,063,489	90.	118,503	10.
	5,414,586	74.5	1,851,535	25.5
South Carolina	291,300	41.2	412,320	58.8
Georgia	591,550	56.	465,698	44.
Florida	77,746	55.5	62,677	44.5
Alabama	526,271	54.6	437,770	45.4
Mississippi	353,899	44.6	437,404	55.4
Louisiana	357,456	50.5	350,373	49.5
	2,198,222	50.2	2,166,242	49.8
Texas	420,891	69.6	182,921	30.1
Tot'l South'n States.	8,033,699	65.6	4,200,698	34.4

1880.

	Whites.	*Per cent.*		*Colored.*	*Per cent.*	
Delaware	120,160	81.9		26,442	18.1	
Maryland	724,693	77.5		210,230	22.5	
Virginia	880,858	57.8	69.1	631,616	42.2	30.9
West Virginia	592,537	95.7		25,886	4.3	
North Carolina	867,242	62.		531,277	38.	
Kentucky	1,377,179	84.1		271,451	15.9	
Tennessee	1,138,831	75.1		403,151	24.9	
Arkansas	591,531	73.7		210,666	26.3	
Missouri	2,022,826	93.2		145,350	6.8	
	8,315,863	77.2		2,456,066	22.8	
South Carolina	391,105	39.3		604,332	60.7	
Georgia	816,906	53.9		725,133	46.1	
Florida	142,605	53.		126,690	47.	
Alabama	662,185	52.5		600,103	47.5	
Mississippi	479,398	42.4		650,291	57.6	
Louisiana	454,954	48.5		483,655	51.5	
	2,947,153	48.		3,190,204	52.	
Texas	1,197,237	75.2		393,384	24.8	
Tot'l South'n States	12,460,253	67.3		6,039,654	32.7	

A summary of this table may be thus made for the double decade:

First. The whites in the whole South gain, and the colored race lose, 1.7 per cent.

Second. In the border States the whites gain and the colored lose 2.7 per cent.

Third. In Texas the whites gain and the colored lose 5.8 per cent.

Fourth. In the six Cotton and Gulf States the whites lose and the colored people gain 2.2 per cent.*

One-third of the whole South, three-fifths of South Carolina, and a majority in Mississippi and Louisiana, one-fourth of Texas, and more than a fifth of the border States are African. In the other States of the Union there are about thirty millions of whites to half a million of Africans, or one-sixtieth is African.

I come now to look at the relation of the foreign to the native population, considering the Chinese and Asiatics as a distinct

* It thus seems that what of African population is lost to the border tier of Southern States is gained by the Gulf and Cotton States.

class. I have already shown in table (B.) the total increment by decades from foreign immigration, the aggregate being 10,847,400 in ninety years. This is largely, almost entirely, of the European races and of the Caucasian family, to which the original stock of our Union belonged. The immigrants of any decade melt into the mass of native population, and their posterity becomes a new native stock like the original, with no alien feelings, but bound to this, their native land, by as strong a patriotism as glows in the hearts of the descendants of our revolutionary fathers. Thus the danger resulting from foreign thoughts and opinions and political traditions is ever kept within limits which threaten little to the stability of our institutions. And as the mass of native population is nearly doubling every twenty-five years, the number of foreign-born citizens will hereafter form a less and lessening percentage of our entire population; and this although the actual immigration is increasing with every decade. This will appear by the following table:

(I.)

1850.

Total white	19,553,068
Native "	17,308,466, or 88.5 per cent.
Foreign "	2,244,602, or 11.5 " "

1860.

Total white	26,922,537
Native "	22,783,830, or 84.6 per cent.
Foreign "	4,138,697, or 15.4 " "

1870.

Total white	33,589,377
Native "	28,086,402, or 83.6 per cent.
Foreign "	*5,503,975, or 16.4 " "

1880.

Total white	43,402,970
Native "	36,828,492, or 84.8 per cent.
Foreign "	*6,474,478, or 15.2 " "

By this table it appears that, though the foreign-born population increased its percentage in 1850–60, and again slightly in

* From total reported I deduct Chinese, in order to get the number of foreign whites.

1860–70, yet in the double decade, 1860–80, it fell off; and so, as the total population increases, the element of the foreign-born population must hereafter decrease.

But the distribution of this foreign element is as diverse by sectional divisions of the Union as that of the colored race; and as the latter was found to be concentrated in the South, so the foreign population will be found chiefly in the North and North-west. I will group native and foreign white with colored in the next table.

(K.)

	Native White.	*Foreign White.*	*Col'd.*
Northern tier of Southern States, Delaware, Maryland, Va., W. Va., N. C., Tenn., Ky., Mo., Ark	74.3	3.9	22.8
Cotton or Gulf States, So. Car., Ga., Fla., Ala., Miss., La	46.4	1.6	52.
Texas	67.4	8.8	24.8
All Southern States	63.9	3.4	32.7
All Northern and No. Western States and Pacific States and Territories	79.2	19.1	1.7

The report of the census shows (taking the Northern States and Territories) that in Arizona, California, Dakota, Minnesota, and Nevada, more than one-third of the people are foreign born; and more than one in five in New York, Massachusetts, Rhode Island, Wisconsin, Michigan, Connecticut, Colorado, Nebraska, and several of the Territories.

As has been already stated, the great mass of this foreign-born population is European. But a portion of it, and concentrated in a few of the States and Territories, is of the Asiatic race, alien in blood, habits, and civilization. The Chinese are the chief element in this Asiatic population. The total Chinese population reported is 105,465. That is only 0.2 per cent. of our whole population. If distributed through the mass equally, it would be too minute to be of good or evil effect. But it is so distributed that in California there are 75,132, and in California, Nevada, Oregon, and Washington Territory there are 93,244; and in those just named, and Colorado, and the Territories of Wyoming, Idaho, Arizona, and Montana, there are 101,544, of the whole number. This leaves 3,921 for the rest of the United States; that is to say, 101,544 Chinese for a total population

of 1,504,169, or 6.7 per cent, and 3921 for a total population of 48,651,614,—six Chinamen in every hundred in the Pacific States and Territories, and one in every 12,407 people in the rest of the Union.

But the most singular feature in this immigration is the proportion of adult males to females. Out of 75,132 Chinese in California, over 70,000 were adult males, which would be equivalent to a foreign population of 140,000, if there was an equal number of females. The Chinese population constitute 43 per cent. of the adult males in that State.

Upon a review of the facts thus derived from the late census, it appears that we have 50,155,783 of people, of whom 6,679,943 are of foreign birth; 6,580,793 are of African race, 105,465 are Chinese, and less than that of other Asiatic or Indian races. It further appears that the Caucasian composes about 86 per cent. of the whole, and gains upon the others, but at so slow a rate as to present no ground to expect any material change in the ratio in the present or the coming generation. The people of the former non-slaveholding States are homogeneous in their Caucasian descent. The former slaveholding States, taken as a whole, are two-thirds Caucasian and one-third African, and in the Cotton States, with a preponderance slightly increasing of the African race.

The great, and as yet unsolved, but to be solved problem of the future—for the Union, and especially for the South—is, How can these two heterogeneous races, so related in numbers, in antecedent history, and in present condition, work out together a common destiny, in peace, liberty, and civilization? I propound the problem, but do not propose now to discuss the mode of its solution. It demands wise statesmanship, calm and earnest consideration, forbearance, and non-intrusion from those not specially affected by it; and prudence, kindness, justice, magnanimity, and a firm and resolute purpose to do right, on the part of those to whom Providence has confided the solution of this novel and difficult question, in which are involved the happiness and progress of the people in the Southern section of the Union. If this spirit pervades the hearts of the people of the United States, with an humble reliance on divine help, and a devoted search for the truth, we must not fear failure, but confidently hope for, and persistently struggle to achieve results which will do honor to the American name, and bring a happy

issue out of this great trial to the people of our common country.

One thing is certain. Failure will follow from interference with these local interests in the several States by the Federal Government, and from the use of passion, prejudice, and patronage to array class against class, and to prostitute the powers of the Government to the attainment of partisan or personal ends, at the expense of peace, order, and good government. We must honestly and sincerely use the best means which wise counsels can suggest to promote the highest interests of all classes of the people, and of the States comprising the Union. True patriotism, an elevated humanity, a love for real progress, a devotion to liberty under law and Constitution, and an earnest purpose to advance the whole country in Christian civilization, will be attended with success; the want of these will be followed by disaster and convulsion, and will result in disgrace to American history.

J. R. TUCKER.

DEFECTS OF THE PUBLIC SCHOOL SYSTEM.

In discussing the relation of the State to popular education certain points are generally assumed. Though their recognition is comparatively modern, nobody who really belongs to the modern world will care to question them. Among these first principles are the following: That education is desirable for all; that the opportunity for education should be open to the poor as well as to the rich; that the success of free institutions depends upon an educated citizenship; and that, therefore, the State has a right, as a matter of self-defense, to compel all candidates for citizenship to become educated. However much of the mediæval condition of things may remain, no one now would defend the mediæval ideal. The time when the world was divided between a few educated clerics on the one hand, whose right it was to lead, and the great mass of uneducated people on the other hand, whose duty it was to be led, is, as most of us believe, fortunately gone by. The printing-press has made all that a part of the unreturning past. Pope tells us,

> "A little knowledge is a dangerous thing,
> Drink deep, or taste not the Pierian spring."

Yet what popularly passes for the Pierian spring has, in these days, overflowed all its banks. In more or less muddy conduits its irrigating waters are carried all over the land. Cheap books, cheap magazines, cheap newspapers, doing duty as ladles, are dipping up the overflow and bringing the "knowledge" to the lips of all who have mastered the alphabet.

Perhaps it is too early as yet to pass final judgment on the results. But it is quite certain that so far they are not what the sanguine founders of our common school system hoped they would be. Many that our schools have "educated" are found

not to be practically fitted for the kind of life they must lead. Many, instead of being educated into honesty, have only learned to be sharper villains. Instead of being educated into good citizenship, many of them are as blind partisans as are the ignorant: they take the worser side of public questions: they buy others' votes and sell their own. Many of them show little knowledge of any method by which the true can be sifted from the false in dealing with the great problems of commercial, social, political, and religious duty. Few have learned how to get the best out of life for themselves, or how to put the best into life for others. And multitudes, both of boys and girls, have only been "educated" into a restless distaste for the common life that most of us must lead, instead of having learned how to make that common life the plastic material for the production of healthful, helpful, and happy results. Thousands have gained a smattering of many things, while they really know nothing thoroughly and well. Not knowing even their own ignorance, they are not ready to learn; and they fret against circumstances, when the trouble is that they have not been trained to understand and control them. It would be very unjust to find fault with the teachers of our common schools. They are, in the main, intelligent and faithful men and women. Out of our present system, in its present stage of development, they are doubtless getting all it is capable of producing. The only question is whether the system is the best one, and whether it ought to be any further developed along its present lines. Before we are more completely committed to it, may it not be well to examine its foundations? It is still time to modify its methods and aims, if in any direction they be found to need it. And it will be easier to do this soon than after it has hardened into more definite form.

Myself a pupil of the common school, and now having children in what are regarded as equal to the best in the world, I have naturally given the matter some thought. And not all of this thought is by any means in accord with what seems to be the popular and current opinion of the day. Certain ideas have been slowly taking on the form of earnest convictions. A few of these I propose to set up on the public debating field of the NORTH AMERICAN REVIEW. If it is worth anybody's while, and it can be done, they will perhaps be demolished. If it should be worth anybody's while to try to demolish them, and if the de-

molition should not be complete, perhaps what remains may serve as suggestions for some needed changes and improvements.

In the first place, it seems to me that we are still very much "at sea" as to what ought to be the meaning of the word, education. And if we are not agreed as to our goal, it can hardly be thought strange that we have no common conception of a method for reaching it. Most certainly education must mean something deeper and more essential than merely "knowing" things, or than having passed through a certain school curriculum. It can be nothing less than the leading out, the developing, and then the training into a fitness for coping with life's problems, of the native faculties and capacities of the pupil. When this is done, through whatever process, the boy or girl is educated. So long as this is not done, whatever may have been studied or whatever may be known, the work of education is not accomplished.

It seems to be a matter of course, then, that the practical meaning of the word should be determined by the nature of the being to be educated, and by the answer to the question as to what he is being educated for. The St. Bernard dog, who should understand the art of the setter, but know nothing of the Alps or how to lead the lost traveler in a storm, would be but poorly "educated" for his life-work. Is it any better for a man to be trained into a taste and fitness for some other path than that his feet must follow? It should be the aim of the common school, then, to fit the average boy and girl for a successful solution of the practical problems of the common life here in America to-day. Not to attempt this is either not to comprehend, or else to be false to, the very object of its existence.

To see whether or how far it is attempting this, let us try to outline what is needed. The accumulated wealth of the world is so small that, were production to stop, mankind would be in a starving condition in two or three years. It is clear, then, that very few persons can continue to eat unless at the same time they work. And it is also clear that those who do eat and do not work, since they take out of the world's stock and do not put in, are occupying the position either of paupers or thieves. Work here is used, of course, in the sense of whatever the world needs to have done and is willing to pay for. It is true also that the civilized world is already somewhat crowded; so that new

applicants for paying position do not find it easy to get standing room. Witness the army of the at least partly unemployed, and the crowds ready to besiege the door of any vacant place. However much room there may always be "at the top," only a very few can ever get there. Society is a pyramid, broadest at at the base. And so long as man lives on a material planet and in a material body the far larger part of the world's practical work must concern itself with the production and distribution of material things. The first thing, then, that any boy or girl needs, on coming into this world, is to be trained into an ability to earn an honest living. This is the prime condition of anything further or better. This, therefore, ought to be the first concern of any scheme for common education. And since it is determined by nature and circumstances that the great majority of men and women must do some kind of manual labor, it would seem to be self-evident that any wise scheme of common education should train the hand as well as the brain.

In some rough way, at least, this end was reached in the old days of the country life of New England, for the boys and girls went to school perhaps six months of the year, and worked with their hands the other six months. But now, in the graded ten months' schooling of our cities, even so much as that is not attained. In this country, where property is not entailed, any rich man may become poor, and any woman, however wealthy her father or husband, may, through misfortune or death, be brought face to face with the necessity for earning her bread. A part of every education, then, should be the learning how to do something by which honest standing room in the world could be earned. An added self-respect would go with such knowledge, as well as a broader human sympathy with the real life of the world.

Next to this capacity for earning an honest living is the need of being trained into an ability to distinguish the true from the false in the great practical problems of life. The world is a great battle-field of opposing forces, in society, in politics, in morals, in religion. Every man and every woman must practically take sides, and so help or hurt mankind. How many are competent to make up an intelligent opinion in any of these directions? The most are not trained into even the rudiments of a method for collecting and weighing evidence on any important subject.

Next, and close of kin to this, should come a thorough training in the fundamental principles of right and wrong. What is right and wrong? What is right, and why it is right, and why he owes allegiance to the right, is what every person ought and can be trained to know. And in practical importance this takes precedence of nearly all those things which are usually regarded as making up the essentials of education.

Beyond these things the ideally educated man is he who knows how to use the keys that can unlock for him the histories, the literatures, the sciences of the world; and who is master of the methods by which the limits of human knowledge in these directions can be widened. Such a one can get out of life its best, and, at the same time, make the world richer for his having been in it. Such as these must always be few. And yet nearly all men and women, if they learn how, and care for it, can find leisure for at least something of that manly and womanly life which consists in living, over and above the occupations by which they earn the means to live. They should be taught that such a thing is possible, and have the way to it pointed out. So much can be done in the commonest education.

All this, of course, is only hinting at the outlines of what ought to be included in any approximately complete ideal of education. A man trained to solve the practical problems of life, to care for and find truth, to know the right and prefer it, to do something to make the world, as a place to live in, a little easier, happier, and better,— such a man is educated. If he fail in these things, however much he may know, he is not educated. Because, to do these things is what a man, in this kind of a world, is for.

We are now ready to raise the question as to the right and duty of the State in this matter. It has come to be a generally accepted principle, both in State Legislatures and in the National Congress, that public legislation for personal or private ends is unjust and inadmissible. This is the basis of all equitable taxation. If, for example, the General Court of Massachusetts should levy a tax on all the inhabitants of the Commonwealth, and then use the money for the exclusive benefit of Berkshire County, or of some private corporation in the City of Worcester, it would be properly regarded as practical theft. Nor would men's judgments be reversed by any plea of worthiness, or even need. Highway robbery is not justified by appropriating the

proceeds to the use of even a church or a hospital. Whenever public money is expended in the construction of local works, as, for example, on the Hoosac Tunnel or in dredging a harbor, the State must justify the act by demonstrating that the public is benefited to the full extent of the money so expended. This, then, is the principle—public money to be expended only for public ends. Let us now see how this principle applies itself to the matter of common schools.

The plea is made, on the one hand, that the parents have the exclusive right to decide as to whether or not the child shall be educated at all; and, if at all, to what extent and in what direction. But this plea is ruled out by the consideration that the child is a unit of society, and that society has an interest in both his intelligence and character. On the other hand, it is held that the State ought to furnish every child with the means of knowing whatever is to be known. This theory implies the kindergarten at one end and the university at the other, together with all the several grades between; and all paid for out of the public money. To justify this enormous outlay of the public funds, one of two positions needs to be established: First, that at least the majority of the children of those who pay taxes both will and can avail themselves of this whole long course of study; or, secondly, that the general public is sufficiently benefited by those who do to make the expenditure pay. To make this latter point clear, it must be shown that the few who go through with what is called "the higher education" could not obtain it in some way less expensive to the general public; and also that the common education of the majority does not suffer in the interest of this higher education for the few. It is well known that only a very small percentage of the school children of the country ever go beyond, or even through, the grammar schools. I am persuaded that those who do could be both better and more economically educated than by our present methods; for, when too much is attempted, nothing is thoroughly done. And I am also persuaded that the education of the majority suffers, being practically sacrificed to the "higher education" of the few. Let us see if the truth of these positions can be made out. To this end, let us first outline what the State, as such, has a right to demand in the way of education on the part of each child. In the light of this we can, perhaps, see the defects in our present system.

If any boy or girl is not so educated as to be able to earn an honest living, he or she is liable to become, directly or indirectly, a public charge. The State, then, has a manifest right in this matter. It is clearly her right and duty to see that, so far as possible, this is done. To secure this, the hand needs to be trained as well as the brain. Thus the opportunity for an industrial education should be an integral and essential part of our common school system. Indeed, so long as a majority of the children must be hand-workers in some department of life, the common interest, and so the common right, calls much more loudly for this than for many things that now are liberally provided for. It needs not that all trades be taught, or attempted to be taught, to all. For, as training the brain in one department of study gives aptness in all, so also is it in the training of the hand.

To the end of being prepared to live an honest and independent life, it is also needful that the child be well grounded in what are known as the rudiments of a good English education. It is not needful to this, though often personally desirable, that he should know other languages than his own. A good, practical knowledge of arithmetic, and of how to read, write, and speak English, together with a knowledge of the structure of his own body and the laws of health,— these are the first and principal things. Very few among the graduates of even our high schools possess these to-day, while the smattering of a hundred things to which these are sacrificed is a very poor compensation for their lack.

Enough of general knowledge to enable him to cast an intelligent vote; this also the State, as a matter of self-defense, has a right to demand of all candidates for the rank of citizenship. In giving each child this amount of fundamental knowledge the State has opened the door for all who care to enter, and are able do so, into all the higher thought and life of the world.

But, beyond these things, it is the right and duty of the State to do one thing more. So far as possible, it should educate each child into the knowledge and practice of the essential principles of morality. On this, much more than on literary, or scientific, or historical culture, does the welfare of the State depend. That next to nothing has been even attempted in this direction is a remarkable fact, but one for which we need not go far to seek an explanation. Our training has been such that most men find it

very difficult to attain clear ideas as to the necessary relation between moral conduct in this world, and what they regard as a religious preparation for the next. So they cannot agree on any definite plan for moral education in the schools. That it is needed is plain; for thousands of children get very little that ever passes for it anywhere else. The gordian knot of confusion on the subject can be easily cut by a statement of one simple principle. It is none of the State's business whether or not my soul is saved in the next world; but it is emphatically its business how I behave in this. As I do not wish my boy taught the Catholic or Buddhist faith in the school, so I have no right to insist that the child of the Catholic or Buddhist shall be taught the Protestant or Christian faith. But it is for the common interest of all that all the children shall be taught the principles and practice of such conduct as that on which the public welfare depends. These principles have been learned as the result of human experience, just as men have found out, what is good to eat and what is not. Text books and training, then, in these directions are just as practicable as in mathematics.

It is, then, the right and duty of the State to see to it that all its embryo citizens are educated, so far as is possible, into fitness for independent, honest, and intelligent citizenship. It owes it to all to make so much even compulsory on the part of each. But beyond this I am unable to see what right the State has to go. I have never been able to understand why I should tax my neighbor to teach my boy Latin, or the higher mathematics, or chemistry, any more than to help me buy him a bicycle. His owning a bicycle, and the outdoor exercise so gained, might be the means, perhaps, of saving his life; and the life so saved might prove a great public blessing. But on that chance I should hardly have the face to make the demand. On a chance as slender, why, then, should I make the other demands, which are quite as personal in their nature? What is clearly for the public good, in the way of his education, I may ask public assistance to carry through. So far as his personal and private success or pleasure is concerned, I have a right to ask only "a free field and no favor." In departing from this principle I put myself in the position of a pauper taking public charity, as really as though I took soup instead of geometry.

But, asks some one, is it not the glory of our republic that the poor are to be allowed an equal chance with the rich?

This, in view of the fact that the rich can avail themselves of private teachers. On this point two things are to be said: First, if this is the obligation of the State in the matter of education, why stop there? Why not apply the principle to houses, pictures, horses, and all the "good things" of life? Indeed, no State can carry out this idea completely until it learns some way by which to make all people equally handsome, equally good, and equally clever. But, secondly, an equal chance for what is it the duty of the State to provide? If it be, so far as is possible, an equal chance for a successful, contented, useful, and happy life, it is just that which is here contended for. It is that which the public school is now not doing, but which it ought to do.

What is called the "higher education" neither is nor can be pursued except by a very small minority. A few, possessing the money and the leisure, always will pursue special lines of study through mere personal love of investigation. Great good has thus come to the world. But they neither ask nor need public support. But most of those who go beyond the grammar schools and into the colleges do so with as purely personal and private ends in view as another man has in learning a trade. The student of law or medicine is, first and foremost, learning a business by which he hopes to win some of the personal prizes of life. Incidentally, he may be of great service to the world. But so is the engineer on a railroad train, and the carpenter at his work-bench. Why should the one be a public beneficiary any more than the other? If the need of either is greater, it is not generally that of the one seeking the so-called higher position. If the professions were places of danger or difficulty, so that students shunned them, and if, at the same time, the public good demanded that they be filled, then, indeed, public aid might rightly be offered, and public premiums be held out. But so long as they are regarded as personal prizes, and are eagerly sought, being ever crowded by those who can barely live in them, it seems not only unjust, but quite superfluous, to use the people's money to help on such private ends.

Most of those with a natural fitness for special studies, those who have the thirst which is a prophecy of success, will always find a way. Private beneficence will, in the future as in the past, found and endow academies, colleges, and schools for professional and technical study. And they need be by no means confined to the rich. Indeed they neither have been, nor are

they now. Among the university graduates of the country there are to-day probably quite as many of the sons of the poor as of the rich. And it is doubtful whether either public or private welfare is subserved by making it too easy for either the lazy or the inefficient to go where their native taste and vigor are not able to open a way.

The public schools, then, supported by the public money, should confine themselves to giving a good, thorough, common education to that great mass of the children that, with few exceptions, will never go beyond them. They should be well trained in the few essentials of good citizenship, those things that will fit them to lead self-sustaining, honest, and honorable lives; and that, for that reason, are of public concern, and for which the public has an interest in paying. To neglect or slight this for the further education of a very few, and that few in such studies as are chiefly of private concern, is a plain and manifest perversion of public funds; as well as negligence in the performance of a public duty.

I propose now to reënforce the opinions so far expressed by a few definite specifications and statistics. The defects of our present common school system may be summed up under two heads: First, it attempts to do too much, and so goes beyond its legitimate province. Secondly, while trying to do what properly lies beyond its borders, it fails to produce satisfactory fruits within its own field. Let us now see if we can find substantial reasons for these statements.

First. It has already been shown that a common school, supported by the public money, should have for its aim the fitting the mass of the children for self-supporting and intelligent citizenship. This is the proper interest of the State, as a State; and for these public ends only has it a right to appropriate public funds. But now it attempts much more than this. Those who claim that it may rightly do more, at least admit that it ought to attempt this. It will be shown, a little later, that, while trying to do so much, it does not even accomplish that which, in any case, should be its primary aim.

Second. Instead of being now a common school, devoting the common funds to securing the largest good for the greatest number, it has developed into an institution essentially aristocratic. The best buildings, the best appliances, the best and

most highly paid teachers are devoted to the service of the few. And the service it is rendering to this very few is in teaching them not those branches of study which are essential to good citizenship, and that so come within the limits of the public interest, but mainly such courses of instruction as fall within the limits of private culture and are pursued chiefly for personal ends. Look at a few figures.

In the month of February, 1883, there were in all the public schools of one of our cities 54,723 pupils. Only about one-half of these, or 28,360, had gone through the primary schools and entered the grammar; while only about two and three-fourths per cent., or 1510, had graduated at the grammar schools and entered the high. Of this small remnant, only 320 reached the third year; and but 49 of these were in the fourth or advanced class.

Here, then, is a "common" school system, paid for out of the common funds of the State, that devotes its best buildings, best apparatus, and best paid teachers to what is practically the private and personal training of two and three-fourths per cent. of its children. So much for the position and work of the high schools. While only about two and three-fourths per cent. ever enter the high schools, not more than a fraction of one per cent. ever graduate. And the Latin schools are supported for the benefit of a fraction of those who reach the high. To urge in reply that at least all have an equal opportunity is only a mockery. It is not true. Their circumstances are such that they simply cannot use any such opportunity. Their life-work lies in other directions, and, in order to live at all, they must follow it.

But this is not all. In trying to do too much, the system practically fails in doing what it might, and at least ought to attempt, on behalf of the great and overwhelming majority.

First. It does not give them the best instruction and training for the real life which they must lead. As already shown, their success in life depends on a practical knowledge of their own bodies and on moral training, much more largely than on most things about which they are actually taught. And in these two directions almost nothing is done.

But besides this, it does not even give them a satisfactory education in what are confessed to be the simple fundamentals.

There is almost no education of the hand—the one instrument that most of them must use more than any other. Few are good penmen; few can read well; few can write a good letter, in good English, correctly spelled; few learn the first principles of business, or are capable of keeping accounts. These things at least should be done, and done first of all. Many illustrative examples could be given, were the space at my disposal.

Second. The superficial going over so much ground cheats the child into thinking he is already educated, and so really stands in the way of his learning some one thing thoroughly and well. Better good training in some one thing, with the bare information that there are a hundred other inviting fields for which there is no time. They may then be afterward tempted to enter some of these other openings. But deluded into the idea that they already know them, the curiosity that leads to investigation is dulled. Instead of cultivating a taste for the intellectual life, this sort of thing makes people talk of having "finished" their education. The man who knows his ignorance; who learns how much there is to know; who is taught the way to study, and where to find the materials for pursuing certain lines of investigation,—he is the man who at least has the chance of becoming wise. But nibbling in all directions, and eating no one thing, spoils the appetite and ruins the digestion.

Third. But, worst of all, the present system, while it fails to fit the great mass for real life, actually trains large numbers into a positive distaste for what must be their real life-work. Since the State cannot, if it would, provide all its children with ideal careers, it should at least not unfit them for their actual ones. I could multiply instances of how this is actually done. Witness the crowds of working girls in the great cities, not willing to fill a position of honorable service in anybody's family; not willing even to marry an honest man and make a home for him, unless he can keep her in idleness and furnish her with servants; choosing rather to jostle one another for a place behind a counter, though on starvation wages which must be eked out even at the price of womanhood and honor. Witness the crowds of young men surrendering the home that might be earned by the "labor" they think themselves educated "above," and in its place taking a garret, and amusements of which they had better be ignorant; seeking for "positions" already too full; while

most of them are not really educated into the ability to do anything in particular and do it well.

Artemus Ward says, that on a certain occasion he "tried to do too much, and did it!" This is just the weak point in our public school system. It is trying to do too much; and, as a consequence, is doing very little thoroughly and well; while the things that ought to be of chief importance are certainly not accomplished.

M. J. SAVAGE.

RIVAL SYSTEMS OF HEATING.

DR. BELL.

So MUCH has been said recently about the germ origin of disease, that people generally are in danger of having their attention diverted from prevalent tangible causes of disease within easy control, while catching at shadows. First among the controllable causes of ill-health in temperate and cold climates is an excessively variable or foul indoor atmosphere, due to defects in the mode of warming houses. Exposure to a temperature much below that of animal heat for any considerable time always weakens vitality and increases the susceptibility to disease. Hence, the economy of heat is a primary element in the art of preserving health. Of the common means to this end—clothing, houses, and fire—the last only is the subject of this article, and with special reference to the relative merits, from the sanitary point of view, of stoves and furnaces as compared with steam. Simply to obtain the necessary degree of temperature would be an easy matter, but ventilation must be constantly kept in view, and this cannot be secured without some sacrifice of heat. Time was when the open fire-place was regarded as the *conditio sine quâ non* of health; but, as Rumford put it, "while the draughts chill one part of the body, the rest is roasted by the fire in the fire-place, and this cannot but be injurious to health."

A close stove, everybody knows, is simply a hollow cylinder, or box, made of metal, brick, or earthenware, which is heated by a fire within it, and gives out its heat to the air by contact, and to surrounding solid objects by radiation. In an economical point of view it excels all other means of warming. The heated air from a fire-place is available to the apartment for only about twelve per cent. of the total amount of heat produced: all the rest passes up the chimney. The close stove, on the contrary, utilizes from eighty-five to ninety per cent. of the heat

produced, and loses through the smoke-pipe only about as much as the open fire-place saves — ten to fifteen per cent. And herein lies the striking difference between the relative healthiness of the atmosphere heated by a close stove and an open fire-place. The amount of air which hourly passes through a close stove, heated with a brisk fire, is, on an average, equal to only about one-tenth of the capacity of the room warmed, and consequently such stove requires, if unaided, ten hours to effect a change of the atmosphere in every such apartment. Thus stagnant and heated, the air becomes filled with the impurities of respiration and cutaneous transpiration.

Moisture, too, is an important consideration. The atmosphere, whether within doors or without, can only contain a certain proportion of moisture to each cubic foot, and no more, according to temperature. At eighty degrees it is capable of containing five times as much as at thirty-two degrees. Hence, an atmosphere at thirty-two degrees, with its requisite supply of moisture, introduced into a confined space and heated up to eighty degrees, has its capacity for moisture so increased as to dry and wither everything with which it comes in contact: furniture cracks and warps, seams open in the molding, wainscoting, and doors; plants die; ophthalmia, catarrh, and bronchitis are common family complaints, and consumption is not infrequent. But this condition of house air is not peculiar to stove-heat. It is equally true of any overheated and confined atmosphere. The chief difference is, that warming the air by means of a close stove is more quickly accomplished and more easily kept up than by any other means. Sometimes, by the scorching of dust afloat in the atmosphere, an unpleasant odor is evolved which is erroneously supposed to be a special indication of impurity, caused by burning the air. It is an indication of excessive heat of the stove. But the air cannot be said to burn, in any true sense of the word, for it continues to possess its due proportion of elementary constituents. Such is the close stove and its dangers, under the most unfavorable circumstances. The Dutch stove is occasionally found in country railroad depots and similar places, where the frequent opening of doors makes amends for its deficiencies. In Russia, and other northern countries of Europe, stoves are frequently built of brick covered with porcelain, with relatively small fire-chambers near the bottom, and with winding smoke-flues which traverse many times

through the structure, until nearly the whole of the heat generated is expended in it. The smoke-pipe, now comparatively cool, enters a flue in the wall and carries off the smoke only, while the heated mass of brick continues to retain heat and warm the room long after all the fuel is burned—for from eight to ten hours. If the same quantity of fuel were burned in an open fire-grate or close stove, the heat therefrom would be expended in an hour.

Stoves have been so improved in recent years, in the United States especially, and are obtainable at such moderate expense, that no excuse for the continued use of such as have been above described now exists. Indeed, so important and rapid have been the improvements in the construction of stoves in the United States within the last eight or ten years, that it is difficult to find a market for those of older date. In England, where the people continue to be wedded to open grates, and where most is said by scientific persons against the use of stoves, improvements have been exceedingly slow and complicated, and the practicability of maintaining a sufficient and equable temperature, and a wholesome atmosphere in a room warmed by a stove, is far from being realized; still less, the convenience of warming several rooms at the same time by the same means, hot-air furnaces scarcely being known.

The essentials for healthy stove-heat are a brick-lined fire-chamber, exhaust-flue for foul air, means for supplying moisture, and provision for fresh-air supply. A brick lining is requisite for the double purpose of preventing overheating, and for retaining heat in the stove. For the supply of moisture, the means are simple and easy of control, but often inadequate. An efficient foul-air shaft may be fitted to the commonest of close stoves by simply inclosing the smoke-pipe in a jacket—that is, in a pipe of two or three inches greater diameter. This should be braced round the smoke-pipe, and left open at the end next the stove. At its entry into the chimney, or in its passage through the roof of a car, as the case may be, a perforated collar should separate it from the smoke-pipe. For stoves with a short horizontal smoke-pipe, passing through a fire-board, the latter should always be raised about three inches from the floor. A smoke-pipe thus jacketed, or fire-board so raised at the bottom, affords ample provision for the escape of foul air.

The introduction of fresh air is a comparatively easy matter, when by no more special provision, then by a strip of board under the window-sash, closely fitted. The lap of the sash at the middle admits the air with a direction to the ceiling, and, consequently, without draft on any one in the room.

The experiments of Pettenkoffer have shown that under the common conditions of the atmosphere, a very considerable exchange of gases takes place through dry plastered walls, brick, and stone. And it is the common experience of sick persons that they are sensitive to drafts through walls when the wind blows, and that they frequently take cold by exposure to the windy side of the house.

All flues for the exit of foul air should be perfectly smooth and tight. Rough surfaces not only retard but retain emanations which come in contact with them. Moreover, exhaust-flues should never be placed in outer cold walls, because the greater density of the outer cold air prevents the ready ascent of the warmed and rarefied air from within. Another important consideration is the size of air-shafts. This can only be approximate, however, because the amount of air which will pass through a shaft depends in a great degree upon the relative temperatures of the inner and outer atmospheres, and the conditions of the weather, particularly the direction of the wind. As a practical average, the best observers recommend that the sectional area of both inlet and outlet shafts be 24 square inches per head; or, for buildings of three stories, one square inch for every 50 cubic feet of space; rooms below, one square inch for every 55 cubic feet; for ground floors, one square inch for every 60 cubic feet. It should be borne in mind that the friction in long flues considerably lessens the extractive power, and that the column of air in the flue increases in density as it ascends. In prisons, where the cubic space per head is comparatively small, the sectional area of the air-shafts should be at least 20 square inches per head.

Open fire-stoves combine the advantages of the open fireplace and the close stove, provide for fresh air, and economize heat. The important improvements in stoves of this kind have not only well-nigh supplanted the open fire-grate in supplying all that was ever claimed for it, but excel it in all the requisites of economy and comfort.

Hot-air furnaces are simply inclosed stoves placed outside the apartments to be warmed, and usually in cellars or basements of

the buildings in which they are used. The manner of warming is virtually the same as by indirect steam-heat — by the passage of air over the surface of the heated furnace or steam-heated pipes, as the case may be, through flues or pipes provided with registers. The most essential condition of satisfactory warming by a hot-air furnace is a good chimney-draught, which should always be stronger than that of the hot-air pipes through which the warmed air is conveyed into the rooms, and this can be measured by the force with which it passes through the registers. A chimney-draught thus regulated effectively removes all emanations; for, if the chimney-draught exceeds that of the hot-air pipes, all the gaseous emanations from the inside of the furnace, and if it have crevices, or is of cast-iron and overheated, all around it on the outside, will be drawn into the chimney. Closely connected with this requirement for the chimney-draught is the regulating apparatus for governing the combustion of fuel — the draught of the furnace. This should all be below the grate; there should be no dampers in the smoke-pipe or chimney, and all joints below and about the grate should be air-tight. The fire-pot should be lined with brick and entirely within the furnace, but separate from it, so that the fresh air to be warmed cannot come in contact with the fuel-chamber.

It should go without saying that the air which passes from furnaces into living-rooms should always be taken from out-of-doors, and be conveyed in perfectly clean air-tight shafts to and around the base of the furnace. Preferably, the inlet of the shaft, or cold-air box, should be carried down and curved at a level (of its upper surface) with the bottom, and full width of the furnace. Thus applied, the air is equally distributed for warming and ascent through the hot-air pipes to the apartments to be warmed. On the outside, the cold-air shaft should be turned up several feet from the surface of the ground, and its mouth protected from dust by an air-strainer. A simple but effectual way is to cover the mouth with wire cloth, and over this to lay a piece of loose cotton wadding. This may be kept in place with a weight made of a few crossings of heavy wire, and it should be changed every few months. And here, too, outside the house, should be placed the diaphragm for regulating the amount of cold-air supply, and not, as commonly, in the cellar.

As the best means of regulating the temperature and purity of the atmosphere from hot-air furnaces, it is necessary to pro-

vide sufficiently large channels for both the inlet of fresh air and its distribution through the hot-air pipes. The area of the smallest part of the inlet (or inlets, for it is sometimes better to have more than one) should be about one-sixth of a square foot for every pound of coal estimated to be burned hourly, in cold weather; and to prevent, in a measure, the inconvenience of one hot-air pipe drawing from another, the collective area of the hot-air pipes should not be more than one-sixth greater than the area of the cold-air inlet. These proportions will admit the hot air at a temperature of about 120°, when at zero outside, and the velocity through the registers will not exceed five feet per second.

A large heating surface of the furnace is a well-recognized condition of both economy and efficiency. As a rule, there should be ten square feet of heating surface to every pound of coal consumed per hour, when in active combustion; and the grate area should be about one-fiftieth of that of the heating surface. For the deficiency of heat, or the failure of some of the hot-air pipes of hot-air furnaces in certain winds and weathers in large houses or specially exposed rooms, the best addendum is an open fire-grate. With this provision in northerly rooms, to be used occasionally, hot-air furnaces may be made to produce all the advantages of steam-heat in even the largest dwelling-houses.

Steam-heat may well be compared with stove and furnace heat: stove-heat corresponds to direct radiation by steam, and furnace-heat to indirect. The supply of fresh air from the outside to and over the hot-air furnace, and through hot-air flues into the rooms through registers, is virtually the same as when it is conveyed by means of steam-heated flues in the walls. Exhaust-flues, for getting rid of foul air, are equally essential. The stove, as representing direct radiation in the same manner as the steam coil, or plate, in the room, has the advantage over the latter of some exhaust of foul air, however little, even when the smoke-pipe is not jacketed, for the steam-heat has none. In comparison with open stove-heat, steam-heat is at still greater disadvantage; for open stoves supply all the qualities of complete radiation — the introduction of fresh air and the escape of foul — to a degree wholly unattainable by steam-heat, whether direct or indirect, or by hot-air furnaces, which always require special provision for the escape of foul air.

The advantage of stove and furnace heat over steam may be summed up thus: It is more economical, more uniform, more easy of management, more suitable for small areas to be warmed, and is free from the noises and dangers of steam. Irregularities of the fire in steam-heating are a constant source of inconvenience, and sometimes of danger. The going down of the fire during the night-time, or its neglect for a few hours at any time, is followed by condensation of the steam. On the addition of fuel and increase of heat, steam again flows quickly into the pipes where a partial vacuum has formed, and here, on coming in contact with the condensed water, it drives the water violently and creates such shocks as sometimes occasion explosions; or, at least, produces very disagreeable noises and general uneasiness, and frequently causes cracks and leaks. Hence direct steam-heat, which for warming purposes alone is altogether superior to indirect, has been well-nigh abandoned. Indirect steam-heat places the leaks out of sight, but they commonly lead to mischief, and require special and expensive provision for access and repair.

A. N. Bell.

PROF. TROWBRIDGE.

To the architect and sanitary engineer of the present day the terms warming and ventilation have certain technical meanings, and when employed together refer to systematic arrangements and appliances in the construction of dwellings, public buildings, churches, and halls of audience, by which not only may suitable temperatures be maintained in these structures, but proper quantities of pure and fresh air supplied continuously. It may be laid down as a fundamental principle that the warming and the ventilation of dwelling-places are equally indispensable to health, and that they are, to a great extent, inseparable in their relation to each other, and, ordinarily, in the appliances by which they are effected.

Four modes of heating, which furnish at the same time different degrees of ventilation, comprise all in common use, viz.: the open fire-place, the close stove, the hot-air furnace, and the steam-heating apparatus. A comparison of these methods involves, for each, the cost of the apparatus and its durability,

the cost of fuel and attendance, and the efficiency of the apparatus for heating and ventilation.

The open fire and the stove furnish means for a constant supply of heat, through combustion of fuel, within the room to be heated. The open fire gives off its heat to the walls and objects in a room only by radiation from the burning fuel, all the air that passes the heated surfaces of the fire-place going directly up the chimney. Hence, this method is inefficient for heating, especially when the walls of the room in which the fire is placed are greatly exposed to outside cooling influences. Moreover, much more air than is necessary for combustion passes up the chimney, from the very nature of its construction; and as this air must pass through the room to the chimney, it is difficult in general to avoid cold currents of air. Remote corners are apt to receive little heat directly, and the full effect of the open fire for a dwelling, requiring as it must, a fire for each room, is attained only at a great expense of fuel. While the first cost of the fire-place may not be great, the cost of fuel, except when such open fires are mere adjuncts to some other system, renders this mode of heating, as houses are now constructed and occupied, quite out of the question for the ordinary householder. As regards ventilation, however, the open fire is of all systems the most admirable.

The second mode of heating, the close stove, is doubtless of all modes the most universally practiced at the present day. Whether the stove be a simple structure of cast or wrought iron, having an interior chamber for the combustion of fuel, with a plain wrought-iron pipe to lead away the gases of combustion, or whether this simple structure be incased or provided with additional chambers and pipes for the more extended circulation of the heated gases, and to furnish the greatest possible heating surface, the statistics of manufacture alone furnish evidence that there is some special advantage in this mode of heating which commends it to popular favor. It is not difficult to account for the preference: the stove can be placed at little expense in any room of any building where there is a flue for carrying off the smoke and the gases of combustion. The activity of the fire can be modified at will to suit any degree of external temperature; and as it is generally employed with the minimum amount of ventilation, and often with almost none at all, the economy of heat is all that can be desired. But in pro-

portion as an active and sufficient ventilation is demanded, this efficiency of heating disappears; and since the usual practice is to trust for ventilation to the accidental influx of air through crevices in the window and door casings, the use of stoves is quite sure to lead to a vitiated atmosphere. Owing to the fact that the heating appliances of both the open fire and the stove are confined almost entirely to the room or apartment in which the fuel is burned, the heating of a building comprising many apartments, by these methods, can only be accomplished by increasing the number of fires or stoves. The economy which might be practicable for a single room then disappears to a great extent, owing to the increased cost of attendance, as well as waste.

Two modes of heating are in vogue by which the demands of economy and comfort are then met, viz.: the hot-air furnace and the steam-heating apparatus. The hot-air furnace is simply an encased stove outside of, and away from, the apartments to be heated, generally in the cellar or basement of a building. The casing or chamber within which the stove is placed is put in communication with the external air by an inlet conduit, which serves the double purpose of furnishing air for combustion and for supplying a number of rooms with heated air. To effect this twofold purpose, there is a chimney direct from the stove for the removal of the gases of combustion, and one or more flues leading from the air-chamber around the stove, with branches for the different apartments, for that portion of the air which comes in contact with the heated surfaces of the stove and casing, and which then passes to the rooms. The air is usually heated to a temperature of 250 to 400 degrees, and by mixture with cold air may be brought down to 150 or 200 degrees, at which temperature it will enter the rooms. Air at these high temperatures must be further reduced in temperature and mingled with cold air in the rooms to be warmed, and for effecting this object reliance is generally placed on the accidental leakage at doors and windows. The expulsion of the heated air is accomplished by a spontaneous draft through flues from the heated apartments to the roof, or into halls and thence to upper stories.

A single furnace may thus heat very economically an ordinary dwelling; but the disadvantages and defects of the system are numerous. Beyond a certain limited distance from the furnace the difficulty of conveying heated currents in this manner increases

very rapidly; and where there are branch ducts leading to many rooms, one branch may overpower another, causing excessive heat in one room and a deficiency in another. The proper ventilation of apartments is difficult, and the highly heated currents, having an increased capacity for moisture, are apt to convert the rooms to be heated into drying chambers, to an extent that is neither agreeable nor healthful. A few open fires, arranged to produce proper ventilation, mitigate very much some of these evils. For large buildings several hot-air furnaces must be provided, and the economy is proportionally diminished.

All of the above-described methods have been supplanted to some extent, in this country at least, by steam-heating apparatus, or its practical equivalent in limited circuits, the hot-water apparatus. Even for ordinary dwellings, this system is being gradually extended; while for large blocks, such as apartment houses, hotels, manufacturing establishments, school-houses, and other large structures, the system is so greatly in demand as to have given rise to new and extensive industries devoted to the manufacture and installment of the necessary apparatus.

Steam heating is characterized by the fact that the heat is generated in the furnace of a boiler either within or without the walls of the building to be heated, the heat of combustion being transferred to water, which, being vaporized, constitutes the medium by which the heat is conveyed in comparatively small pipes to the points where it is utilized for heating purposes. Two distinct methods of utilizing this heat are practiced. In one the steam pipes are carried, by the most convenient course, directly into the room or space to be heated, where, by convolutions of the pipes, or what are known as radiators, an extended heating surface is furnished to the room. These coils, or radiators, give off heat both by radiation and by contact with the air, which is kept slowly circulating, as in the case of a close stove; and it is evident that only a feeble, or at least uncertain, ventilation is possible, except through special arrangements made for introducing fresh air. These heated coils are, in effect, identical with close stoves, the only difference being that the surfaces of the coils can never be heated to a degree higher than that of the steam,—practically, never higher than three hundred and ten nor lower than two hundred and fifteen or two hundred and twenty degrees Fahr., while the surface of the close stove may, under some circumstances, approach nine hundred and fifty degrees.

Active and sufficient ventilation may be attained with these coils, however, if they are placed in such a way that cool air, introduced through openings,— as, for example, under windows,— will mingle directly with the heated air rising from the radiators, and then be deflected upward to be mixed with the general circulation, and discharged through ventilating flues. Of course, such active ventilation can only be attained at the expense of additional heat.

The other method, called by a strange misconception "indirect radiation," consists in conveying the steam from the boiler to small chambers constructed for the purpose, in the basement, directly beneath the rooms to be warmed. Here the steam pipe is extended into a coil, or an equivalent arrangement, by which a large amount of steam-heated surface is exposed. Flues for heated air lead from the roof of the chamber to the various rooms to be heated; an inlet duct for fresh air enters the bottom of the chamber, and the coils, or "radiators" are so arranged that the air in rising comes in contact with the heated surfaces, and passes to the apartments to be warmed with the temperature increased to seventy or one hundred degrees Fahr. Low temperature currents only are generated; and as the proper action of the apparatus can be kept up only by a continuity of flow into and out of the space to be heated, the two effects of heating and ventilation are most effectively combined.

A comparison of these various methods must include the cost of the apparatus, the cost of attendance, the cost of fuel, and the incidental advantages and disadvantages belonging to each. The open fire-place possesses the advantage of giving thorough ventilation, but it is the most expensive in fuel. The close stove is highly advantageous in point of economy, where there is little ventilation, and as this is apt to be the rule, it is perhaps the least healthful of all methods as generally applied. Both of these methods become costly in attendance as well as in fuel when the heating of dwellings of many rooms is required, and are inapplicable to large structures and public buildings as they are now constructed. The hot-air furnace system is of all the most difficult to manage, so far as uniformity and control of temperature is concerned. The danger from fire, the dust, the defective ventilation, and the impracticability of heating more than a limited space by a single hot-air furnace are other defects inherent in this system. Steam heating involves greater first

cost in apparatus than any other system. When this cost and the cost of attendance and repair are taken for a series of years, however, it is conceded that there is but little choice between hot-air furnaces and steam-heating apparatus as regards economy.

The special advantages of steam heating are: 1st. The almost absolute freedom from risk of fire when the boiler is outside of the walls of the building to be heated, and the comparative immunity under all circumstances. 2d. When the mode of heating is the indirect system, with box coils or heaters in the basement, a most thorough ventilation may be secured, and it is in fact concomitant with the heating. 3d. Whatever may be the distance of the rooms from the source of heat, a simple steam pipe of small diameter conveys the heat. From the indirect heaters underneath the apartments to be heated, a vertical flue to each apartment places the flow of the low heated currents of air under the absolute control of the occupants of the apartment. Uniformity of temperature, with certainty of control, may be thus secured. 4th. Proper hygrometric conditions of the air are better attained. As this system supplies large volumes of air heated only slightly above the external temperature, there is but little change in the relative degree of moisture of the air as it passes through the apparatus. 5th. No injurious gases can pass from the furnace into the air flues. 6th. When the method of heating is by direct radiation in the rooms, the advantages of steadiness and control of temperature, sufficient moisture and good ventilation, are not always secured; but this is rather the fault of design, since all these requirements are quite within the reach of ordinary contrivances. 7th. One of the conspicuous advantages of steam heating is that the most extensive buildings, whole blocks, and even large districts of a city, may be heated from one source, the steam at the same time furnishing power where needed, for ventilation or other purposes, and being immediately available also for extinguishing fires, either directly or through force pumps.

It is only to be remarked, finally, that the most thoughtful among our physicians and sanitary advisers realize with anxiety the fact that there is a growing abuse of all these systems, except the open fire, in providing too much heat and too little ventilation. There is no mode of heating which lends itself to the correction of this evil so readily, however, as the steam-heating

method. With proper care on the part of architects in arranging inlet ducts for fresh air, and ventilating flues heated by steam coils to accelerate the draft, any desirable degree of ventilation with low temperature currents may be secured. Such arrangements should, however, be studied in advance, and form principal elements in the design of a building, instead of being wholly subordinate, as is commonly the custom, to less important architectural features. It should be regarded as a fundamental principle in architecture, that the first and most important problem to be studied, after the general design of a building is determined, is the proper positions and magnitudes of heating and ventilating appliances for the structure as a whole, and for each room in particular; and not only should the details of the main and cross walls be modified and adapted to these arrangements where it is necessary, but no question of mere architectural propriety or appearance, nor even of convenience in use, should be allowed to interfere with objects so important to health as good and sufficient warming and ventilation.

W. P. TROWBRIDGE.

THE

NORTH AMERICAN REVIEW.

MARCH, 1884.

No. 328.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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1884.

NORTH AMERICAN REVIEW.

MARCH 1884.

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NORTH AMERICAN REVIEW.

No. CCCXXVIII.

MARCH, 1884.

IS OUR CIVILIZATION PERISHABLE?

THIS question might be answered summarily by saying that what has been may be again; meaning, that as very advanced civilizations have perished, ours may perish. But the inference would hardly be authorized, because it could not be assumed that a civilization having the elements of vitality discernible in ours ever before existed, those involved in any previous one not being precisely known. If answered at all, then, it must be by reasoning upon what we know of the existing civilization; determining its essential elements, and casting its horoscope by detecting and estimating the causes that threaten, or may threaten, its perpetuity. No attempt will be made to define with scientific accuracy what civilization is. It will be assumed generally to be the *ensemble* of achievement in knowledge, in wealth, in the arts, in culture and refinement, in morality and religion, among the leading peoples of our age. So that the question propounded, in substance, is, Are there causes at work by which this fair fabric may be destroyed?

Three orders of causes might be supposed capable of producing such a result: physical causes, moral causes, and moral-physical causes. To the first would belong those convulsions of nature of which traces are found in the history of mankind,

and still more clearly on and beneath the surface of the earth. A deluge or deluges, beyond question, at some epoch in the past, swept away a large part, if not all, of what then lived upon our planet. It is not agreed what were the causes or what the extent of such deluge or deluges, and it is therefore beyond the power of science to say that their destructive agency may not be again witnessed. So with other supposable cosmical influences. It is an accepted theory among astronomers that — not to speak of the ultimate fate of the solar system, to fall into the sun, and even of that of the whole starry universe, to crash together into one vast volume of superheated gases — minor planets or fragments of planets are continually dropping into the sun; and although it is believed that the earth is destined to avoid such a catastrophe for many ages, it would be rash to say that it could not happen.

Of one thing scientists are pretty certain,—that but a short time ago, as stellar life is reckoned, a dreadful catastrophe did befall our earth. There came upon the parts of it now the smiling seats of civilization, a deposit of ice, covering them to the depth of hundreds of feet, and of course destroying all living things that could not escape to warmer climes, if such there were. Whether man existed previously to that calamity is not certainly known. If man did exist, there is no evidence that he had attained to any degree of civilization comparable to that which arose afterward. Whatever was the cause of the last ice period,— for science teaches that there has been a succession of such, alternating with periods of warmth, like that in which we live,— according to the current theories, that cause has been a constantly operative one, and it is regarded as certain that in the course of time the same terrible phenomenon will recur. This will be when the great cycle of changes in natural conditions, on which the ice production depends, has been completed. Estimating the cosmical influences which produce this change, astronomers have fixed upon twenty-one thousand years as the length of the period from ice age to ice age, and we are said to be now in the middle of one of those periods. If so, it is only ten thousand five hundred years since our temperate zone was one vast field of ice. Herodotus says that, according to the traditions of Egypt, its civilization was in his time ten thousand years old. He wrote something over two thousand years ago. It is not probable that this figure is correct. From the best *data*

now attainable, derived from monuments and other sources, the civilization of Egypt is believed to have existed six thousand years before Christ. This would give it an antiquity, now, of about eight thousand years. On this hypothesis, it was two thousand five hundred years after the period of greatest probable cold during the age of ice, before the civilization of Egypt arose. If the same date be fixed for that of Chaldæa, the ancestors of the Egyptians and Chaldæans may have been the remnant that had escaped from the northern ice-fields; and inasmuch as they preserved no traditions of the time previous to the catastrophe, their civilization must have been, when they began their migration southward, extremely meager. At a time of such distress, what learning had existed must have been mainly forgotten. When every energy of mind and body was exerted to meet the physical wants, the lapse into barbarism from a higher condition, had one existed, would be rapid. This reckoning would leave two thousand five hundred years, or even more, if the supposed migration began before the highest degree of cold was reached, in which to found the civilizations of Egypt and Chaldæa, as history shows them to us six thousand years before Christ.

But speculation in regard to what may have immediately preceded and followed the last age of ice, is less important to us now than in regard to the consequences of a recurrence of such an age a few thousand years hence. Nature in her cold as in her hot moods has no respect for the works of man. As the temperature should go on falling, and philosophers should fill their ears with predictions of the woes to follow, despair would seize upon the minds of men, as it did about the year of our Lord One Thousand, when it was prophesied that the world was about to be destroyed; or as it did a few years ago, when the prophecies of Miller led many to believe that the end of all things was at hand. Men abandoned their business, and betook themselves to fasting and prayer and the preparation of their ascension robes. If the conviction should become general, based on scientific reasoning, and justified apparently by the increase of cold and ice, the same temper of mind would show itself; famines, pestilences, and wars would be likely to arise; the crowding of multitudes into the more desirable places, and the resulting passions and destitution, would bring about conflicts which would soon reduce the migrating hordes to a fraction of their former numbers. What, in such a *mêlée*, would be the fate of

schools and churches, of newspapers and books, and other similar means of illustrating and increasing civilization, it is easy to imagine. As the pressure of want, of war and pestilence, grew greater, the leisure for learning, even the love of it, would be lost; the increasing cold would lead to the burning of books and papers, no longer valued or useful, except to give warmth to the freezing bodies of their owners; or if not burned, they would be flung away; and it is a peculiarity of our civilization that its written memorials are impressed mainly upon paper, which both fire and water will destroy. Mackintosh is, therefore, in error when he affirms that "the discovery of paper and printing rendered a second destruction of the repositories of knowledge impossible." Whether those depositories shall be destroyed will depend, not alone upon their wide diffusion, but upon the character of the material of which they are composed, and, as we shall see, upon the disposition of the men amongst whom they are placed. Had it depended only upon their material, the Greek and Roman classics would not now be, most of them, lacking or mutilated. The ancients had tablets of brass and stone. Even their papyrus was equal in durability to our paper, and their parchment was far superior. But most of their libraries were destroyed, some by vandal hordes, some by the Moslems, and still more by the Christians. Of those destroyed by the last, a few have been recovered by skillful manipulation of palimpsests, upon which the treasures of ancient literature had been obliterated and replaced by monkish legends. Far more, then, than the written memorials of the ancients, those of our existing civilization are dependent upon the estimate, in respect to sacredness or value, which men place upon them.

This brings us to consider the operation of moral causes which may be supposed to threaten civilization. Unlike the physical, which would produce their effect by a complete destruction of all written memorials, as well, perhaps, as of all living things, moral causes would be such as should tend to paralyze or to poison one or more of the essential elements of civilization; to destroy it by corrupting its life-blood. This result would follow from the prevalence in the current literature of principles hostile to the life of society. We say prevalence in the literature; but if in that, then also in the life of the people, since the one is but the gauge and reflex of the other.

If railroads and steam-ships, accumulated wealth and material comfort and splendor, were all there is of civilization,— if they were not merely the husk enfolding the grain,— it would not so much matter whether it were perishable or not. The moral and, as its highest efflorescence, the religious character created and fostered by the forces producing civilization, is that which gives to it its only permanent value; and whatever beautifies and expands that character, fortifies; and whatever perverts or weakens that character, tends directly to destroy civilization, whether as it exists in literature or in the hearts of men. And because this necessary moral element always rises or sinks to the same level both in literature and in men's hearts, if it become perverted in either, it will perish from both. When this happens, there is danger that honest zeal for purity may destroy all literature, both good and bad, and thus hasten the ruin it would fain prevent. History confirms this view. Much of the classical literature of Rome was so foul that the Christian Church diligently sought to extirpate the whole. The infected part ought to have perished, as did the empire whose vital juices it had poisoned. There are Latin books in our libraries which it is a disgrace to Christian civilization that it permits to exist. Nothing but the prevailing ignorance of the Latin tongue saves them from criminal censure as obscene literature.

The moral causes threatening civilization, therefore, are such as tend to undermine the principles essential to its permanence. What are those principles? First in importance rank, as has been already hinted, the principles of morality. Does this seem to be a mere truism? Mr. Matthew Arnold has raised, none too early or too loudly, a warning voice against the prevailing tendency of French imaginative literature; he charges it with impurity. Whether the malign product known as the French novel be the growth of the "lower empire" of the third Napoleon, or the proper fruit of the third republic, it is of fatal augury to the French people, and to any other whose taste it adapts to itself. No nation not struck with moral blindness or moral paralysis can produce or circulate novels like M. Zola's. Not that his are the worst; their very grossness prevents them from working the evil wrought by others whose immorality is more carefully veiled; as complete nudity is less hurtful to the public morals than the half nude, which, leaving room for the

imagination, excites it. How far the dry rot pervading many ranks of French society is answerable for the collapse of the empire and the fatuous politics of the existing republic, it would be rash to pronounce with certainty. As a similar infection subdued the hardy virtues of the Roman commonwealth, making possible the immense ruin which befell it, so it may have rendered inevitable the awful overthrow of Sedan; and where it will end for France, or for those neighbors who eagerly feast upon the garbage of her immoral literature, no prophet can tell. The vice in the French novel consists in its perverted views of the sexual relations. This shows a proclivity to sensual indulgence, unconsciously treated as normal and harmless, which can coexist only with obtuseness of the moral sense.

But how disastrous soever such a vice may be, it is less so than another which might become prevalent. The apparatus of the mind, of the reasoning faculty, might be so disarranged that its verdicts would no longer correspond to the truth of things. What is said upon this head must be understood not as affirmation but as hypothesis, as an endeavor to ascertain the effects of certain supposed causes upon the vitality of an existing civilization, if they were to come into operation. Suppose a philosophic sect were to flood the world with principles, cunningly devised to confound all moral distinctions, teaching that the end justifies the means; that while homicide is under ordinary circumstances unjustifiable, yet to propagate the truth intrusted to their keeping, any act deemed necessary, even the taking of innocent life or the overthrow of beneficent political institutions, is justifiable; and that if the native conscience of their instruments is too tender not to feel remorse after the commission of such necessary acts, some head or junto of the supposed philosophic sect had the power of expunging their guilt, and of quieting their disturbed moral sense; one hazards little in saying that such principles would be a menace to the existing civilization. Civilization has been built upon theories of conduct directly the reverse: that the end does not justify the means; that intentional homicide, save in lawful war or in necessary self-defense, is murder; and that not to punish and prevent it by the dreadest sanctions would be to resolve society into its original barbarism. Imagine, further, not only that such principles were formulated and propagated by skillful teachers, subduing with a cunning logic the minds of the ignorant, but

that they were thundered forth from pulpits and from the chairs of theological professors, with the assumed sanction of divine inspiration, could it be deemed possible that a sound morality would long survive such a contagion, or that the civilization corrupted by it could or ought long to endure?

In estimating the destructive effects of the supposed principles, it ought to be remembered that the leaven of sexual immorality and, much more, of a perverted moral sense in the blood of a people, never ceases to work until interrupted by some terrible judgment of God, cutting down the diseased misgrowths of years, or sending the sinning peoples into a blessed servitude to some Gothic horde, uncultivated but morally unperverted. An American consul, sent by President Lincoln to Asia Minor, once maintained to the writer that no people which had fallen from a high civilization could ever be built up into a great people again; that in their ignorance they would still claim to be what they had once been, highly civilized, and that they would therefore, in their self-conceit, be unteachable. Applying this principle to Asia Minor, he said that the only remedy for its barbarism was to destroy its people root and branch, and begin with the soil anew. If ignorant self-conceit is thus fatal to recuperative power, what shall be said of principles which not merely stimulate the retrospective imagination, or rest upon a pardonable pride in ancestral glories, but which paralyze the moral perceptions and the moral energies of a people? And if the civilized world should drink in the *virus* of such principles, could its civilization be permanent? Must it not early perish? As Macaulay has said, "The Goths and Vandals which would overpower our civilization would come upon us from within, and not from without, as in the old days." They will be the cancerous growths of that civilization itself. There is now left no foreign race which, as in the case of Rome, while it tramples our liberties and our institutions into the dust, would regenerate us by its homely but unsophisticated virtues.

Another moral cause which may threaten our civilization is a mistaken view of the relations between capital and labor. This cause presents a double aspect, according as capital is found to be too grasping, or labor to be too exacting. It is not now for the first time that conflicts bringing grave dangers to society have arisen between those two great forces. From the

obscure hints which history gives us, it is evident that while the nature and extent of the respective rights of labor and capital were not well understood, and the weaker party, the ignorant, laboring poor, often bore long without seeking redress, a time was generally reached in which the limit of forbearance was passed, and terrible outbreaks, worse than any experienced in our day, occurred. The servile insurrections of classical antiquity, the peasant wars of the middle ages, in France, Germany, and England, are examples of this. It is noticeable, however, that these outbreaks of violence were limited in extent. The disease being local, recovery was possible, and it often came from voluntary concessions by the capitalists of the period. Labor rose in rebellion because it suffered, and, the oppression being removed, quiet and contentment were restored. If the causes were strictly local, the same phenomenon might again be witnessed. Such now, however, is the solidarity of all civilized peoples, that causes of discontent in the ranks of labor are likely to be universal, even when they are material in their nature; so that the danger from that source is greater than in former times. But the causes are not all of that kind; there are causes in the principles propounded by the parties to the conflict, as determining their respective rights, which, because they fly upon the wings of the wind over the whole earth, are all the more seriously menacing to civilization. One of these, on the part of capital, is the principle that there are no limits beyond which capital ought not to be allowed to accumulate; or that corporations cannot rightfully be controlled in the exercise of their charter powers; or that while monopolies, strictly so-called, are illegal, virtual monopolies, entailing upon a people all the evils of real monopolies, ought not to be disturbed in gathering their colossal harvests of gain.

It is not, however, from the ranks of capital that the danger which we wish now to emphasize is to be apprehended, but from those who possess the physical force to compel obedience to any behest they choose to formulate — the vast laboring majority. The dangers flowing from an abuse of capital are dangers from the few, which the physical superiority of the many may always avert. Not so with those which flow from the errors of labor, which nothing but its own better judgment, or Divine power itself, can counteract. And here, lest we be misunderstood, let us say that the danger we have in mind is not now, in most quarters of the world, pressing; the

principles on which it rests not being generally accepted. An attempt will be made merely to determine the effect of those principles upon our civilization, on the supposition that they were accepted and enforced. One of these principles is that the evils which afflict society at the present day are so deep-rooted as to be irremediable, and that the only thing to do is to destroy the existing order of things. This principle of social despair is that of the Nihilists. Of course, as they believe that our present civilization ought to be destroyed,—and they have organized their forces with a view to compass its destruction,—for them the question we are discussing is answered, that civilization is destructible; and, doubtless, the method proposed by them, the uprooting of all governments, all religions, the confiscation of all property, the abolition of the family, and the like, would produce the desired result. The principle of the Nihilists, in other words, is a direct and fatal menace to civilization. Another principle, both social and political, which would destroy the present order of things, is that that is necessarily right which receives the vote of the majority. Properly understood, Mr. Arnold's maxim, that it is a "remnant" only which ought to have the power of making laws or of determining what is right conduct, is just. If so, the converse of this, that the power to govern ought to be lodged with that which has the major physical force, is untrue, and might, if the principle were carried into effect, lead to a wrecking of existing institutions. For labor, therefore, to say to itself, "Because we outnumber those who would rule us by so many millions, we have the right to make such laws as will best suit our purposes, without regard to the rights of others, would be a great error, and, if reduced to practice, that principle would prove fatal to society. The wise are ever the few. Even the wild animals, moved by instinct, follow the lead of the one that has most cunning and experience. Men will generally do this when those of all degrees congregate together. But when they separate into hostile groups, the laboring poor in one, those who can live without labor in another, the really wise may or may not be in that group which is the more numerous. The most fatal thing is that no matter how unwise a measure may be, or how unjust, the majority is likely to have the physical power to enforce it.

Of the moral-physical causes, but a single one will be specified, and that of a nature so delicate that nothing but its well-known operation and its extremely dangerous character

would justify its introduction in a discussion of this nature. We refer to the widely prevalent and growing aversion of the higher ranks of society to marriage, or if marriage occur, to the having of offspring; and to the use of means intended to prevent it. We shall only add that if advanced civilization is to bring with it the general prevalence of this aversion, and if the wicked ingenuity of men shall be able to devise effectual means for preventing the growth of families, the doom of our civilization is irrevocably fixed. Its downfall must follow.

If neither the moral nor the moral-physical causes described are thought sufficient, singly, to produce the supposed result, consider the effect of them all combined. Suppose, as might chance to be the case, that the greater number be both ignorant and morally depraved; that they are filled not only with self-conceit, but with malice toward all that exists; that their moral instincts have been so perverted that they believe wrong to be right and right wrong; that the end justifies the means; and with all this, that the world will never be well governed until its laws are dictated by the majority in numbers, rather than in wisdom; and what might not be the fate of our institutions, of our entire civilization? It is easy to sneer at such vaticinations of evil, and to say that, however bad the case may be at any one time, Providence means that the leaven of good working in the mass of society shall ultimately leaven the whole lump. That may be; but no one of us can claim to be in the secret councils of the Almighty, and perhaps he intends to destroy, if the evil and not the good, the immoral and not the pure, come to prevail on the earth. God carries on his affairs in this world with no regard whatever to time or expense. Societies, empires, civilizations, have gone down, one after the other, because in certain respects, not fully understood by us, he found they did not answer his purposes. It would be very unwise to flatter ourselves that he esteems us or our civilization more highly than he did that of the Chaldæans, the Assyrians, or their successors. To-morrow he may crash into ruin all that we see about us, if it transgress in one iota his established laws. This conclusion, then, seems justified by some solid reasons,—that our civilization is perishable; that it may owe its death to convulsions of nature, like the recurrence of an ice age, which scientists pronounce to be inevitable, and to have probably already more than once occurred, or like that supposed by Mr. Donnelly, the collision

of our planet with a comet; or that it may perish from moral or moral-physical causes, which are now actually at work in some countries; which have brought destruction upon many civilizations, isolated and circumscribed in extent; and which threaten, in this age of steam, the printing-press, and electricity, to become universally operative, and to work their destructive effect wherever the social conditions facilitate their malign influence.

J. A. JAMESON.

AGRICULTURAL POLITICS IN ENGLAND.

ALTHOUGH the agricultural depression which has prevailed in England with great severity since 1878 has been to some extent relieved by a good harvest for all crops except wheat, it would be idle to expect any speedy revival of confidence in the prosperity of English agriculture, which has been under a cloud for about fourteen years. Since the great harvest of 1868 there has been only one first-rate wheat crop—in 1874; and in only three other years has the crop approximated to an average—in 1870, 1878, and 1882. Barley has been a fair or good crop in seven years out of the fourteen; but in 1882, like all other crops, it was seriously injured in quality by the extremely wet harvest. No other crop can show as good a record as that of barley. The seven years ending with 1881, however, made up the most disastrous cycle which English agriculture has endured in recent times, the worst year of all being 1879, which completed the ruin of thousands of farmers. Estimates collected from a large number of farmers residing in every county in England, and published in the "Mark Lane Express," show the estimated average yield, in bushels, of the principal crops for the seven years referred to, as compared with a normal average yield; and to these figures I have added the estimates for 1883:

	Wheat.	*Barley.*	*Oats.*	*Beans.*	*Peas.*
Seven years ending with 1881	24.66	31.00	39.17	25.75	24.75
Normal average	29.05	35.05	43.03	30.08	28.09
Harvest 1883	26.04	35.04	43.06	32.04	28.07

It will be understood that these figures are all averages of estimates, and we have no official returns upon the yield of crops in England; but they are averages of a large number of estimates made by the most competent men, and they may be taken as approximately correct. They give some indication of the

losses suffered by English farmers through unfavorable seasons. For the greater portion of the period, too, prices of grain have been low. The average price of wheat in 1879 was 46*s.*; in 1880, 44*s.*; in 1881, 46*s.* 11*d.*; in 1882, 41*s.* 10*d.*; in 1883 the highest weekly average has been 43*s.* 10*d.*, and the average for the year can scarcely be more than that of 1882. Yet this is a year in which the world's production of wheat is supposed to be less than a year's consumption, and the prospect of higher prices in the near future, therefore, is not encouraging. Barley has been low in price since the repeal of the malt tax, partly because so many substances are used instead of barley malt in the manufacture of beer, and partly because the spread of the temperance movement has diminished the consumption of alcoholic beverages. Here, again, there is no reasonable expectation of a return of such high prices as formerly prevailed more or less frequently in different periods. The highest weekly average price in 1883 was 35*s.* per quarter, and in one week the average was as low as 25*s.* 6*d.* Under existing conditions, farmers in England cannot grow wheat and barley with profit at such prices as those given above, and the question is, What are they to do in order to make their farms pay? The bearing of agricultural politics upon this question will be presently stated; but first it is desirable to refer to other difficulties of the English farmer's position in addition to poor crops and low prices.

It may seem to those not well acquainted with all the conditions of English farming that the question at issue is simply one of rent adjustment; but that this is not the case is proved by the fact that at the present time there are thousands of acres of corn-growing land which tenants could scarcely be induced to take rent free. An official return of the unoccupied farms in 1881 gives the total area of unoccupied land in England and Wales as 43,817 acres; but this did not include the acreage of farms cultivated by landlords unable to find tenants, a very much larger quantity than that named above, which only includes farms left entirely uncultivated. Since 1879, rents for new hirings have gone down from twenty to fifty per cent.; but the reduction has only been made, as a rule, after previous tenants had been ruined. Permanent reductions, where tenants have managed to struggle on, have been few, though temporary remissions of from ten to fifty per cent. have been common. From the Income Tax Returns it appears that in the quarter century ending with 1876 agricult-

ural rents in the United Kingdom increased by forty per cent., and to meet the times at least that proportion requires to be taken off all rents that have not been already permanently reduced. But landlords naturally prefer to keep up the nominal amount of their rental, and to let their tenants off the payment of a portion of the sum in bad seasons only. In the current cereal year, as the general harvest was a good one, few if any remissions probably will be made, and farmers will struggle on till another bad season ruins many of them. By quitting their farms, they could get others at much lower rents; but, apart from their attachment to their homes and the fear of not doing well with strange farms, many of them are in debt to their landlords, and others are in so delicate a financial position that they dare not face the general settling-up involved in a flitting. Sooner or later there must be an end to this embarrassing state of affairs; for unless the conditions of farming are altered or rents are permanently reduced,— and both are necessary in very many instances,— the ruin of the tenants who are in the position described cannot be far off. The full intensity of the dilemma with respect to rent, however, has yet to be stated. Landlords have power to absorb in rent not only any benefit that arises at any time from higher prices of agricultural produce or from a run of prolific seasons, but also any advantages that may arise from the expenditure or skill of their tenants. The better a man farms the higher rent he pays, as a rule. This point is connected with the law of landlord and tenant, which will be referred to hereafter. The Law of Distress has had a great influence in forcing up rents; for, by giving to the landlord a preference claim over all other creditors of the farmer, it enables him with safety to accept as a tenant any man who offers a high rent, although the man may not have half enough capital to enable him to farm the land properly. If a tenant fails, the landlord is almost invariably safe, as he can seize by distraint whatever property there may be on the farm, and until his claim is fully satisfied no other creditor can take a penny.

In their awkward position, farmers of arable land have no lack of advisers. If corn-growing does not pay, they are told to lay their land down in permanent pasture and breed live stock or engage in dairy farming; or to grow fruit or vegetables. Permanent pasture is increasing in the country gradually and slowly. The desirability of its more rapid increase is doubtful,

as it involves less produce from the land and diminished employment of labor; but, apart from that, there are obstacles in the way. In the first place, a great deal of the best wheat land is not suited for permanent pasture; and, secondly, the making of pasture is costly work, for the expense of which tenants have no security. Dairy-farming is the most profitable branch of agriculture at the present time, and it seems likely to remain so. There is an ever-increasing demand for milk and butter, and cheese has sold well since American makers ceased to flood our markets at prices which they found unremunerative. Sheep-breeding, again, has paid well for some time, in spite of the low price of wool. With very little increase of pasture, dairy-farming, breeding, and meat-producing, might be greatly extended, especially if the system of ensilage, now being tried in all parts of the country, turns out to be as successful as it seems likely to be. But here we not only come back to the old deadlock — the want of security for tenants' capital; we also have to face a fresh difficulty — the frequent losses caused by cattle disease. Again, the keeping of a large number of cattle or sheep means a great outlay of capital, a consequent improvement in the land hired, and serious risk of loss from disease. As for fruit-farming, its encouragement is most desirable for both producers and consumers; but scarcely any one has a sufficient inducement to undertake the costly work of planting. Landowners are, for the most part, merely life tenants of their estates, and therefore have no interest in improving the land by sinking capital in it; while tenants, many of whom would be glad to grow fruit, have no security for the necessary outlay. Nor is this all, for an abominable impost, called Extraordinary Tithe, is levied by the Church upon every acre of land cropped with fruit or hops. This impost, varying from 3*s.* 6*d.* to 18*s.* per acre, is charged in addition to the ordinary tithe on the same land, usually about 7*s.* per acre in the fruit districts of Kent. The ordinary tithe rent-charge is in reality paid by landlords, apart from any increase that may occur between one adjustment of rent and the next; and at the present time the amount of the rent-charge, which varies in proportion to the average price of grain, is falling. But the extraordinary tithe is a direct tax upon the enterprise of the farmer, as it is imposed upon any land newly planted with fruit or hops, and ceases when these crops are no longer grown on that land. At the present time the farmers of

Kent are resisting the collection of this impost, refusing in many instances to pay it, and forcing the clergy to distrain upon their property in order to obtain the amounts demanded.

The present system of assessing land for taxation purposes is another impediment to agricultural improvement. The better the farmer, the higher his rates, as well as his rent, is the rule. If either landlord or tenant increases the value of a farm, by building upon it or otherwise improving it, the assessment for poor rates and other taxes is put up, although the improver may not have realized a farthing of profit upon his outlay. This causes indignation, and greatly hinders the improvement of land.

In addition to the discouragements to improved farming mentioned above, there are on most estates antiquated and absurd restrictions upon the courses of cropping and the sale of produce. Very many tenants are compelled by their agreements to adopt a particular rotation of cropping, and are forbidden to sell off the farm hay, straw, or roots, or to grow two white-straw crops in succession. In many parts of the country a given quantity of straw, for instance, sells at a price four times the value of the manure that can be made with it; consequently, a farmer could bring back to the land in return for the straw a very large quantity of fertilizing material, in the form of manure or in that of feeding-stuffs, and yet he is not allowed to do this. In many other ways, farmers' hands are tied, and they are prevented from carrying on their business in the most advantageous way. The object is to prevent the exhaustion of the soil; but if farmers were encouraged to improve the land by giving them security for their improvements, and if they were deterred from deteriorating the land by the fear of having to pay damages (which can be recovered for "waste" or deterioration under the law as it stands, but not simply enough), no restrictions upon cropping and sale of produce would be needed.

The destruction of crops by game preserved by landlords is still an intolerable evil on some estates; but it has been greatly mitigated by the action of the Ground Game Act of 1880, under which every tenant, unless prevented by the terms of an unexpired lease of his farm or a sporting lease, has an indefeasible right to kill hares and rabbits. So great is the power of landlords, however, that in many instances tenents are afraid to use their legal powers, especially when they have received a distinct

intimation that if they kill game they will be turned out of their holdings.

It would be difficult to devise a system of laws, customs, and regulations more thoroughly calculated to keep agriculture at a low ebb than that which still exists in Great Britain. As already observed, the land is chiefly in the hands of life tenants, or limited owners, as they are commonly termed, whose interest it is to spend as little upon it as possible. If they are rich men, they are deterred from spending because all the money they invest in their estates is so much added to the already excessive share of their property which will go to their eldest sons or other heirs, and so much subtracted from the shares of their younger children and other relatives. The Settled Land Act of 1882 has given to limited owners powers of sale under certain stringent conditions; but these are not likely to be extensively used, as there is a very strong feeling in favor of keeping up the *status* of a family by preserving the estate intact, however seriously burdened it may be by settlements and mortgages. As for tenants, it has been shown how they are deterred from improving their holdings and deterred or prevented from striking out into some new form of agricultural business. Under such circumstances, it is no wonder that British agriculture will not stand the strain of modern competition in years of average fruitfulness, or that, when a few bad seasons come, farmers are ruined by thousands. With the best markets in the world for agricultural produce, farming paid moderately well in spite of all disadvantages so long as the importation of breadstuffs, meat, and other farm produce, was comparatively small; but now that our markets are flooded with grain from America, India, Australia, Egypt, and other countries, from which we received very little in the days of Protection, either the conditions of farming must be altered, or British agriculture, the best in the world, must permanently decline in efficiency. It is mainly because many of our large landlords temper their legal and personal powers with indulgence, that the ruin of our farmers has not been more general than it has been. Very often the full competition rent of a farm is not demanded, while remissions are allowed in times of distress. Such indulgences, however, are dearly paid for in the forms of game devastation, loss of personal and business independence, and the stifling of all spirited enterprise.

The condition of farm laborers in England, although better than it was twenty years ago, chiefly because they have lately taken to emigration and migration more freely than heretofore, is kept down by the influences which prevent the application of capital and enterprise to the land. Their great grievance, however, is their landless condition, in which respect they are worse off than they were before the great robbery known as the Enclosure of Common Lands was perpetrated. Except in a few parts of the country, it is almost impossible for a farm workman to obtain land either by purchase or on hire. Small allotments, usually of the worst land in the parish, are in some places let at double the rent paid by the large farmers in the same district; but the patches are usually only about a quarter of an acre in extent. What the laborers need is an opportunity, by means of industry and thrift, of obtaining land enough to live on. It is doubtful whether peasant-proprietorship, as a general system, would pay in this country; but a few small farms in every parish, for the production of milk, eggs, poultry, pork, fruit, and vegetables, would certainly pay well, and the best of our farm laborers are well fitted to manage them. Such farms would afford careers for the flower of our laboring population, and would wonderfully stimulate industry and thrift. At present, a farm laborer has scarcely any opportunity of rising in the world, except by leaving the land for a large town, or for the United States, or one of our colonies. He may be industrious and steady all his life, and yet fail to better his condition, while the only prospect he has for his old age is the charity of the Poor Law and a pauper's grave. As a rule, therefore, he does not try to save even before he marries, when he might save if he had a sufficient motive. If he does save money, he will simply subsist on that, when he is too old to work, as long as it lasts, and simply give relief to the rate-payers. He regards parish charity as his right, and is not disposed to deny himself for no other purpose than that of securing a meager independence. At present, the best of the young laborers are deserting the rural districts, leaving the old, the infirm, and the drunken, behind; and, as education advances, this mischievous exodus will become more and more extensive, unless something is done to check it. It is to be remarked in this connection that the farm workman does not escape from the evils of our land system even when he becomes a townsman; for the rents of houses in our large towns

are forced up enormously by the practical monopoly in land for building sites, and by the land-jobbing that goes on.

Under all the circumstances above briefly noticed, it is not surprising that what with comprehensive brevity is termed the "Land Question" is receiving more and more attention among thoughtful men in town and country alike. Hitherto, all attempts to remedy the gigantic evils of the land system have been defeated by the landlords, who wield enormous power in the House of Commons, and entirely control the House of Lords. The farmers have been feebly agitating against their grievances for many years, with no result worth mentioning. They are so much divided against themselves, and for the most part so entirely under the thumbs of their landlords, that they never combine effectively. Chambers of agriculture, established many years ago for the discussion of questions of agricultural politics, are largely controlled by landlords, and there is only one farmers' association of any importance which represents the advanced and independent tenant-farmers. This is the Farmers' Alliance, founded in 1879, and one of the best-abused institutions in the country. The objects of the association, as given in its published programme, are as follows:

1. To secure the better representation of tenant-farmers in Parliament. 2. To stimulate the improved cultivation of the land, especially by obtaining security for the capital of tenants invested in the improvement of their holdings. 3. To promote the reform of Laws relating to the Ownership and Transfer of Land. 4. To encourage greater freedom in the cultivation of the soil and the disposal of its produce. 5. To obtain the abolition of class privileges involved in the Law of Distress. 6. To promote the further reform of the Game Laws. 7. To obtain the alteration of all legal presumptions which operate unfairly against tenant-farmers. 8. To secure to rate-payers their legitimate share in county government. 9. To obtain a fair apportionment of local burdens between landlord and tenant. 10. To obtain the redemption of the land from the burden of extraordinary tithe charges, and the re-adjustment of ordinary tithes. 11. To watch over the interests of farmers in connection with railway charges. 12. The maintenance of effective regulations in respect of cattle disease.

This is a very moderate programme, as the most bitter foes of the Alliance are constrained to admit; but every one of the objects upon it meets with strong opposition whenever it is brought forward in Parliament, though not always from the same section of politicians. Not one of the objects has been fully realized, though some attention has been paid to a few.

The most satisfactory reform aimed at by the Alliance, and to a great extent promoted by it, was the framing of the Ground Game Act, which, however, is not in all respects satisfactory. The Settled Land Act does not at all satisfy the Alliance, and the Agricultural Holdings Act of last session, to be considered in detail presently, is entirely unsatisfactory. The latter measure, besides pretending to give tenants security for their improvements, dealt also with the Law of Distress, but in a very imperfect manner. It is difficult to legislate upon the question of freedom of cultivation and sale of produce; but the Alliance proposed to settle the difficulty by prohibiting all penalties upon the infringement of covenants as to cropping and sale, except when damages could be proved. A County Government Bill for next session is talked of, and, when local taxation comes to be dealt with, rates in England will probably be divided between landlord and tenant, as they are already in Scotland. Extraordinary tithes will not long remain, as their injustice is very generally admitted. Ordinary tithes will last till the Church is disestablished, when they will probably be used for national purposes, after life interests have been fairly provided for; but the demand of the Alliance is that tithes should be levied directly upon landlords, who in reality pay them at present, apart from fluctuation, as the tithe on a farm is reckoned by a tenant as so much rent. The charges made by railway companies for the conveyance of farm produce are in many cases beyond the limits fixed by the acts of Parliament under which the companies were incorporated. This is a burning question here, as it is in the United States. British farmers, however, have a grievance against railway companies which American farmers have not. Owing to competition among the companies, through rates from foreign countries to our great commercial centers are very low—much lower in proportion to distance than the rates charged for home produce. Indeed, the rates for foreign agricultural produce from a port to the metropolis, for instance, are in many cases less than the rates on the same kinds of English produce from a station half way between the port and the metropolis on the same railway. Thus English producers are handicapped, to the advantage of foreign producers, and the Farmers' Alliance has rendered good service to farmers by bringing this question before Parliament. Upon the question of cattle-disease regulations there is great unanimity

among landowners and farmers. At present, we admit cattle from countries in which infectious disease exists, slaughtering the animals at our ports. Up to the present time the regulations have kept out rinderpest and pleuro-pneumonia; but foot-and-mouth disease has been brought from the continent of Europe, and has caused the two most recent outbreaks of the disease in the United Kingdom. To get rid of the disease, the most complicated and vexatious restrictions are put by various local authorities upon the movements of live stock; and yet with very little effect, as the disease has spread over nearly all parts of the country. A strong agitation is now being made to induce the Government to close our ports against all live stock from countries in which infectious cattle disease exists, until those countries are free from the disease. The Government declare that they have not power under the Contagious Diseases (Animals) Act to adopt such a stringent course of action, and fresh legislation to give that power will probably be proposed next session. There will be great opposition to the proposal from the representatives of the towns, under the mistaken idea that the supply of meat will be reduced if the desired restrictions should be adopted. The fact is, however, that the losses from disease, and the prevention of breeding caused by the fear of disease, do more to keep down the supply of meat in this country than the total exclusion of the foreign supply would do. But no one asks that foreign meat should be excluded, and the present demand does not even go to the extent of the exclusion of all foreign live animals. In all probability it will be granted. If it should not be, the opponents of the demand, nearly all Liberals, will stand a very poor chance in the counties at the next general election.

This programme of the Farmers' Alliance, which I have briefly explained, so far as the objects are not self-explanatory, includes all the important demands made by British farmers. It is obvious that upon the attainment of the first object—the better representation of tenant-farmers in Parliament—the realization of those objects which are demanded of the Legislature in great measure depends; and, accordingly, at the present time efforts are being made by the Alliance to get farmers' candidates brought forward for county divisions. Already about forty members of the Alliance are in Parliament—not in most cases because they are members of the Alliance, however.

Most of these gentlemen are town representatives, whose sympathies are with the Alliance, but who care more for party than for agricultural reform. Some, however, are county men, who owe their seats chiefly to the efforts of the Alliance at the last general election, which took place less than a year after the association had been formed. At the next election the questions popularized by the Alliance will undoubtedly exercise great influence.

The space remaining at my disposal must be almost entirely devoted to the important question of Tenant Right, more than once alluded to in the preceding remarks. It will have been noticed that almost all the proposals for renovating British agriculture lead up to this question, as they must do in a country where nearly all the land is farmed by men who merely hire it, and that for the most part on yearly tenancy. The fact is, that the landlord-and-tenant system in relation to land is a thoroughly rotten one, and Americans may well be warned against the danger—the imminent danger, as it seems to me—of the extension of that system in their great country. Land should not be farmed by mere lodgers. Either the State should own all land, or the tillers of the soil should own the portion which they till. The cultivator puts his wealth, or his labor, which is the same thing, into the soil, and if the soil belongs to another man the properties of two men are irretrievably mixed up together. Thus there must be dual ownership in the soil, or the confiscation of one man's share by the other. The latter alternative has hitherto been adopted in Great Britain, and till recently it was the rule in Ireland also. Our landowners exclaim against dual ownership, as they naturally prefer the "good old plan" under which they have become wealthy; but it is as clear as noonday that the landlord-and-tenant system is only to be tolerated, consistently with justice, with a full recognition of dual ownership in the soil. But the question is not only, nor even mainly, one of justice between individuals; it is one of national expediency. Without a legal claim to compensation for his property in the soil, the tenant-farmer dares not do his best to develop the resources of the soil, and the nation suffers from an unnecessary poverty of agricultural production in consequence. Similarly, if there is any restriction upon the liberty of the tenant to improve his holding, all other people suffer more or less. Therefore, to render the landlord-and-tenant

system tolerable, in the interest of the public, tenants should have perfect freedom to improve the land and absolute security for their improvements. In Ireland a near approach has been made to this desirable consummation; in England and Scotland we are very far from it. Our legislators have only nibbled at Tenant Right at present. Let us see how they have done it.

In 1875, the Conservative Government, ostensibly yielding to a demand made by farmers for about forty years, passed the first Agricultural Holdings Act for England. This measure, if it had been operative, would have secured tenants for a portion of their outlay upon a limited and specified number of improvements; but as the Parliament of that day considerately allowed landlords to void the Act by simply giving notice to their tenants that they did not desire to come under it, nothing worth mentioning resulted from this remarkable legislative production. Of course, there was a great outcry at this ludicrous failure,—this mere sham of tenant-right legislation,—and to that outcry the majority of Liberal members lent a ready ear. At the general election they were profuse in their promises of what farmers might expect if the Liberal party were placed in power, and no one gave more assuring pledges than Mr. Gladstone himself. But when the time came for the introduction of a Tenants' Compensation bill, it was deemed injudicious to offend the Whig landlords and their numerous supporters in Parliament, and a measure, very little in advance of the abortive Act of 1875, was brought forward, made weaker in Committee, and weaker still in the House of Lords, and finally passed. It came into operation on the first day of the new year. This measure, known as the Agricultural Holdings Act, 1883, provides compensation for specified improvements made by tenants, which they can demand when they quit their holdings; but it is so fenced about with restrictions and means of evasion that it is not likely to have much effect, except to give work to lawyers, who have been very busy during the past autumn in preparing agreements to enable landlords to evade the Act as far as possible. The principle of compensation as originally laid down in the Act is that of payment to the extent of the value of the improvements to an incoming tenant; but from this, in accordance with an amendment timidly accepted by the Government, there is to be deducted anything "due to the inherent capabilities of the soil," an unknown quantity

which valuers cannot even approximately estimate. Improvements are divided into three classes. In order to have a claim for compensation for any of the improvements of the first class, including building, the laying down of permanent pasture, the planting of fruit-trees or hops, the reclamation of waste land, and other improvements of a permanent character, the tenant must obtain the written consent of his landlord before executing them. As this consent is certain to be refused in the vast majority of instances, the Act will be nugatory in respect of some of the most desirable of improvements. Permanent pasture is necessary on many farms, in order to enable tenants to pay their way; and yet if they make any without their landlord's consent, they will not be entitled to a penny of compensation, even if they should have to quit their farms before they have realized any advantage from their heavy outlay. The increase of fruit culture is still more desirable, and yet it is far too costly to plant fruit-trees without security. As to waste land, it is simply abominable that it should remain uncultivated because its owners will not expend the necessary capital, and tenants dare not, as they have no security for the outlay. The authors of the Act declared that it would be trenching upon the principle of ownership to allow tenants to carry out and claim compensation for such improvements as these without the permission of their landlords. But if the latter only had to pay for value received, where would be the injustice? The law of England, in theory, does not recognize absolute ownership in land. All land is the property of the Crown, and the nominal owners merely "hold an estate" in it. They are stewards of the national property, the land, which is essential to the existence of the people in their native country. It is therefore a gross exaggeration of the privileges of such nominal ownership to assume that landlords have a right to refuse to develop the resources of the soil, or to allow any one else to do so. The public interest demands that all possible encouragement should be given to men who are willing to invest capital in the land; and that encouragement can only be given by making the capital, or its fruits, secure to those who employ it. The complete ignoring of this public interest in Tenant Right has spoilt the Agricultural Holdings Act.

Draining is the only improvement in the second division. In order to possess a claim to compensation for draining, a tenant

must give a specified notice to his landlord that he intends to drain a certain piece of land; then the landlord may elect to do the work himself, charging the tenant interest on the outlay; or he may refuse to do it, and the tenant may then drain the land. This arrangement is plausible at first sight; but as a large majority of tenants in England farm under a yearly tenancy, a notice of intention to drain land will probably be usually met with a six months' notice to quit. At any rate, the threat of such a notice will be a very simple and effectual expedient for a landlord who does not wish to be liable to pay compensation for draining, to resort to.

With respect to the first and second classes of improvements, even if a tenant is allowed to execute any of them, his landlord and he may make any terms "as to compensation or otherwise." As the tenant in this country does not contract on equal terms with his landlord in the case of any farm worth having, the chances of equitable arrangements as to compensation are so small that the Act is certain to be nearly a dead letter in respect of these classes of improvements.

The third class of improvements comprises manuring with purchased manures, liming, boning, chalking, marling, clay-burning, and the consumption by cattle, sheep, and pigs of purchased feeding-stuffs. Here we get to a nominal application of the compulsory principle as respects compensation; for a landlord can only contract out of this part of the Act by agreeing with his tenant as to "fair and reasonable compensation." But the weak point in this arrangement is that there is no test in the Act as to what "fair and reasonable compensation" is, and the power of landlords is so great that they will, in most cases, be able to induce their tenants to sign bogus agreements as to compensation for any improvements of the third class that the latter may be disposed to make. It is true that a tenant who has made improvements for which his agreement does not provide adequate compensation, will be entitled to go to a court of law when he quits his holding to plead that, although he signed an agreement declaring that he accepted its terms as affording fair and reasonable compensation, it did not really secure to him all that the Act entitles him to claim; but very few tenants will thus go back on their own agreements, and it is doubtful whether the courts would help them if they should take the course indicated.

When a tenant is allowed to claim compensation under the Act, the matter will be settled by two arbitrators, one appointed by the landlord and the other by the tenant, with an umpire, if necessary; but the general opinion is that the Act will be to a very great extent set aside by means of private agreements.

Great discontent is felt at the omission of the Act to give protection to sitting tenants against having their rents raised on their own improvements. This has been by far the most common method of confiscating tenants' property. A man who has raised the condition of his holding to a high state of fertility is naturally reluctant to leave it, and he is therefore often constrained to submit to the injustice of being rented on his own improvements rather than give up his home and his farm. Under the Act, it is only by giving notice to quit that he can even partially protect himself against robbery, and it has already been shown that he cannot expect full compensation if he has made many improvements, even if he does quit his holding.

The Act has reduced the landlord's power of distraint from a claim for six years' rent to a claim for only one year's rent, and it exempts from seizure the property of third parties, as, for instance, live stock sent to graze for a few weeks. This alteration, however, will not affect the rent-raising incidence of the Law of Distress, as a preference claim to one year's rent will be ample security for a landlord who accepts a "man of straw" for a tenant, tempted by the offer of a high rent. The alteration, moreover, will reduce the tenant's credit with his landlord, without appreciably increasing it with other capitalists, and distraints will certainly be far more common than they have ever been before. Landlords, as a rule, have been very forbearing in the use of the monstrous powers given to them by the Law of Distress; but now they will be likely to press their tenants when the latter are in arrear with a single year's rent, as their preference security will be exhausted. The Law of Distress should have been abolished altogether, as its equivalent, the Law of Hypothec, has been in Scotland.

These are the principal features of the Agricultural Holdings Act for England, and a similar measure has been passed for Scotland. The members of the Farmers' Alliance in both countries are thoroughly dissatisfied with the measures, which fall far short of proposals made by themselves. An amending bill is to be introduced next session by Mr. James Howard, formerly

president of the Alliance, and one of its founders; but there is no chance of the acceptance of the bill by the present Parliament. The extension of the franchise to the farm laborers, which is expected to take place this year, will greatly improve the chances of agricultural reformers.

Two proposals for land-tenure reform, not yet mentioned, deserve notice. The first, which is not likely to be realized, is Mr. Jesse Collings's scheme for settling farm laborers on the land as peasant-proprietors with the aid of State funds. The second is of far greater importance, and is likely to exercise a very important influence upon the politics of the future. I refer to the nationalization of the land, rendered very popular among our working classes especially by the wide circulation of Mr. Henry George's "Progress and Poverty" and Mr. Alfred Russel Wallace's "Land Nationalization." Mr. George's arguments are exceedingly powerful, though some of his statements are greatly exaggerated, and his political economy is shaky; but his practical scheme is in all respects as bad as it could possibly be. In the first place, it would be a gross injustice to take the land without compensating existing owners; and in the second place, to tax the land up to within ten per cent. of its letting value and still to leave owners to do what they can with it, would lead to such extremes of rack-renting as would ruin agriculture altogether. Mr. Wallace's scheme is a very different one. He would value the bare land, apart from improvements and buildings, pay the annual value of the bare land to owners and the last of their living heirs for life, take the same annual value from the occupiers of the land as rent, and give the latter fixity of tenure and the power of selling their Tenant Right, including all improvements. When owner and tenant are both entitled to some of the improvements, one would have to buy the other out. The present owners might hold as much land as they chose to occupy, paying rent to the State; but subletting would be forbidden. Rents would be revalued at fixed intervals, so as to take the "unearned increment" for the State, but not to touch improvements. The general effect of the scheme would be to give the three F's to the occupiers of land, and to make the State the sole landlord. There would be no risk of loss to the State, unless the value of the whole land of the country should diminish — an exceedingly unlikely contingency, especially as ground rents in towns would be nationalized as well as agricult-

ural rents. This scheme has been utterly misrepresented by all its adverse critics. The chief ground of objection taken is the alleged expense of State superintendence; but there would not be any more expense in collecting the quit-rent on the land than in collecting an ordinary land or income tax. One thing is certain: if the land in this country ever should be nationalized, landowners will be fairly dealt with. As to the compensation to landlords, some say it is too much, and others that it is too little. Of course, the difficulty of carrying the scheme into effect would be enormous, and for that reason, if for no other, the proposal is not yet within the region of practical politics; but if our landlords continue to oppose the most moderate reforms of our land system, as they have done hitherto, public indignation will some day force a sweeping measure through Parliament.

WILLIAM E. BEAR.

A DEFENSELESS SEA-BOARD.

NEARLY twenty-two years ago (March 9, 1862), the famous naval duel between the Monitor and the Merrimac, in Hampton Roads, effected a revolution in sea-coast defense and maritime warfare. Prior to this memorable event, our system of coast fortification was as good as any in the world, and the ordnance with which our forts were armed was as heavy and as effective as that of any power in Europe; while our navy, though small, was a source of just pride, because of the perfection of its models and the construction of its vessels, and of their armament and equipment.

In the winter of 1858–59, while I was on leave of absence from the army, in Europe, I went aboard the Wabash in the harbor of Genoa. She was one of four frigates constructed about two years previously in our navy-yards,— of which the Merrimac, afterward used against us with such fatal effect, was another, —and was the flag-ship of the Mediterranean squadron. I can never forget the emotions of pride that surged up to my very throat on pacing her deck and contrasting her with the war-vessels of other powers, of which there were several in port. She was the gem of the harbor; in power, speed, grace, and beauty the superior of everything that rode the waves of the Mediterranean at that time.

On my subsequent visits abroad, in 1869 and again in 1870, the change in our naval status relatively to other powers was painfully marked. It was notably lower, though foreign naval architecture and armament were very far from having attained the stage of perfection which they have now reached; and the military and naval prestige we had gained during our protracted civil war was still comparatively fresh. After a more recent residence of a few years in Europe, whence I returned in 1881, I am compelled to say that now the condition of our navy and

the estimates made of its efficiency by foreign officers are most humiliating to the national pride.

By many of the younger officers in foreign naval services,—the indiscreet Hotspurs who rashly give vent to their uppermost thoughts,—a hostile demonstration of armored ships along our sea-board is hoped for, in the belief that it would turn out a sort of holiday excursion, accompanied by some glory, cheaply earned, and followed by unexampled prize-money. Laying the western Atlantic coast under tribute is a day-dream of many an embryo Peterborough and Paul Jones. And what is there to prevent its realization?

The diffuseness of official reports, and frequently their dry elaboration of detail rendered necessary by the requirements of official routine, often deter the general public from a careful examination of them; and the warnings and remonstrances of the ablest and most experienced officers of our army and navy, whose duties have specially led them to the consideration of this subject, remain practically unheeded. All appropriations by Congress for our sea-coast defenses have been limited, during the past eight years, to the protection, preservation, and repair of our obsolete and now utterly inefficient fortifications. Indeed, this has been the case practically since 1865. While large sums have been voted and expended for the improvement of harbors without commerce, and of streams which no expenditure of money could make available for commercial navigation, the harbor defenses of our great sea-port cities, where the commerce of the entire country is chiefly centered, have been shamefully neglected.

After the absolute impotence of wooden walls to resist iron walls had been conclusively demonstrated by the operations of the Merrimac in Hampton Roads, and the brilliant action between the Monitor and herself had revealed the capabilities and possibilities of this new system of naval warfare, Great Britain at once proceeded to meet the new and startling exigencies developed, and appropriated £8,000,000 for the defense of its most important harbors. Since then it has expended, in addition, not less than £20,000,000 for armored ships and rifled ordnance, and in experimental tests of guns and projectiles of the greatest crushing and penetrating energy attainable, and of armor-plates capable of withstanding the impact of these ponderous projectiles (the densest and largest being of compressed

steel and weighing 2110 lbs.), impelled by charges of powder so immense as to surpass the wildest dreams of the artillerists of twenty years ago.

The extreme test of heavy guns fired with enormous powder-charges was made by the Italian Government in 1882, at Spezzia. An Armstrong breech-loading, rifled 100-ton gun, caliber 17¾ inches and 33 feet length of bore, was fired with a charge of 776 lbs. of powder, giving the projectile, which weighed 2000 lbs., an initial velocity of 1832 feet a second and an initial energy of 46,580 foot-tons. This tremendous result is certainly exceptional, and the charge of powder employed to accomplish it equally so; but charges of a quarter of a ton of powder are common for this immense gun, and give the projectile a velocity of more than a thousand feet a second at the distance of over five miles.

When these, and similar results of the new rifled ordnance of smaller caliber are contrasted with the old ordnance of our fortifications along the sea-board, and attention is directed to the fact that these fortifications — which were planned and constructed to resist the ordnance of twenty-five years ago — have not been essentially modified nor materially strengthened, the defenselessness of our sea-ports will be plainly manifest.

The protection of our cities and ports necessarily depends upon the ability of our navy and our sea-coast and harbor defenses to resist successfully the approach and entrance to our harbors of any fleet that a hostile power may be able to concentrate for the purpose. Our navy is in no condition to operate along the coast outside, in the open sea, with the slightest effectiveness against such fleets as half a dozen naval powers could easily put in motion against us. Its sphere would necessarily be limited chiefly to operations within our principal harbors, in conjunction with our sea-coast fortifications, batteries, and other land defenses.

In a report to the Secretary of the Navy, during the last Congress, Admiral Porter remarks:

"Our entire system of arming ships must be changed, if we expect the navy to be of any service in case of war with a foreign power.

"It is of little use to build ships when we are without guns of proper caliber to mount on them.

"We possess no government workshops of sufficient magnitude to supply even the small navy we have at present with large guns.

"The indifference of our government to this matter of arming our ports and ships must strike other nations with astonishment. It looks as if we supposed ourselves exempt from the dangers of war which beset them. A few converted rifle guns have been placed upon our principal ports, but nothing of a character that would keep a single powerful iron-clad from passing them in broad daylight, to say nothing of a night passage, which could be made with wooden vessels, so far as the forts are concerned. An enemy could come on our coast to-morrow, and, commencing in Maine, could take possession of every harbor as far as Texas. Our poor little wooden vessels would have to run away for safety, and our old quasi iron-clads would, with their present armament, be more than useless. The enemy would sink them as worthless, after he had obtained possession."

In reference to torpedoes, Admiral Porter says:

"An insane idea seems to prevail that we can do without guns and ships, and that our harbors can be protected by torpedoes. There might be something in such an argument if we had ports that could keep out an enemy's fleet; but the party that can command the best iron-clads and the heaviest ordnance will win."

On this subject, the following is extracted from the Report of the Secretary of the Navy:

"Our total lack of a really efficient armament is well known to Congress, and has been represented in the successive reports to Congress for several years. Our vessels of war are obliged to appear at great disadvantage beside those of an ostensibly equal force belonging to other nations, and our battery power is so low as to justify the gravest apprehension in case we should be called upon to meet foreign ships of equal size in battle."

Of torpedoes, the Secretary writes:

"Torpedoes, either for defense or attack, must be covered and defended by the fire of powerful rifled guns, both afloat and ashore. . . . The two destructive agents (artillery and torpedoes) supplement each other, and as a rule must be employed together."

Subsequently to the submission of the foregoing reports to Congress, that body authorized the construction of three steel unarmored war-vessels and one dispatch-boat, and appropriated a sum of money for the purpose, under the act making appropriations for the naval service for the fiscal year 1884, as follows:

"For the construction of the steel cruiser of not less than 4300 tons displacement, now specially authorized by law, two steel cruisers of not more than 3000 nor less than 2500 tons displacement each, and one dispatch-boat, as recommended by the Naval Advisory Board, in its report

of December 20, 1882, $1,300,000; and for the construction of all which vessels, except their armament, the Secretary of the Navy shall invite proposals from all American ship-builders whose ship-yards are fully equipped for building or repairing iron and steel steam-ships, and constructors of marine engines, machinery, and boilers; and the Secretary of the Navy is authorized to construct said vessels and procure their armament at a total cost for each not exceeding the amounts estimated by the Naval Advisory Board in said report, said vessels to be built by and under contracts with the lowest and best responsible bidder or bidders, made after at least sixty days' advertisement published in five of the leading newspapers of the United States, inviting proposals for constructing said vessels, subject to all such rules, regulations, superintendence, and provisions as to bonds and security for the due completion of the work as the Secretary of the Navy shall prescribe; and no such vessel shall be accepted unless completed in strict conformity with the contract, with the advice and assistance of the Naval Advisory Board, and in all respects in accordance with the provisions of the act of August 5, 1882, except as they are hereby modified; and the authority to construct the same shall take effect at once; and the Secretary of the Navy may, in addition to the appropriation hereby made, apply to the constructing and finishing of the vessels in this clause referred to any balance of the appropriation made to the Bureaus of Construction and Repair and Steam-Engineering for the current fiscal year or in the present act which may remain available for that purpose: Provided, that he shall utilize the national navy-yards, with the machinery, tools, and appliances belonging to the government there in use; in the building of said ships, or any parts thereof, as fully and to as great an extent as the same can be done with advantage to the government."

In his last annual report (November, 1883,) to the Secretary of the Navy, Admiral Porter, referring to the vessels authorized by the preceding Congress, whose construction had been begun, censures the plan of their construction, on the ground that they are to be insufficiently sparred and rigged, and cannot carry enough canvas to enable them to make fair speed independently of their engines. He calls attention to the fact that coal has been made contraband of war by the European powers, which would greatly detract from the service qualities of these vessels in time of war, as we are without proper coaling stations outside of our own boundaries. He infers that such fleet passenger steamers as the Alaska and the Oregon, mounted with a few powerful guns, would be very formidable in war as commerce-destroyers, especially for powers possessing coaling stations at various points remote from their place of departure. He says:

"If Spain, the least formidable of maritime nations, went to war with us to-morrow, she would sweep our gradually increasing commerce from the ocean by setting afloat the large, swift steamers she could buy in Europe; and

we could not prevent it. Our vaunted 'home squadron,' and the six tugs which one of our statesmen declared a great auxiliary to our naval force, would retire under Sandy Hook or the friendly guns of Fortress Monroe, and be obliged to look quietly on while we were being despoiled, unless they chose to add to the laurels of the despoiler by offering themselves up as a sacrifice to satisfy public sentiment."

The Secretary of the Navy, in his recent annual report, takes a more cheerful view of the prospective service qualities of the cruisers under construction, authorized by the last Congress during its last session. Of the largest of the cruisers authorized, he says:

"The Chicago is an example of the largest unarmored cruising and fighting vessels now built, and will have no superior in the world in the combination of speed, endurance, and armament."

But a writer in a late number of the London "Engineer" criticises the design of the Chicago in a scathing way, and evidently is of a very different opinion from the Secretary in reference to her sea-going and fighting qualities. He says:

"In the design of the cruiser Chicago, an English engineer and naval architect will find at every turn something defective. It is not easy to see for what she is intended; against iron-clads she would be helpless. It is difficult to understand what purpose the inch-and-a-half steel deck is to serve; it is too thick for a deck, and too thin for defense. There is no manner of protection provided for the men, save trumpery shields on the guns. There is good reason for doubting if the Chicago can ever be a fast vessel. Her engines are revivals of devices long since obsolete, and all the vices of American marine engineering manifest themselves. No English engineer in his senses would dream of putting in compound beam engines to drive twin screws. Defective as the engines are, they are admirable when compared to the boilers. To go to sea with such boilers is simply to court destruction."

What may be the truth of this harsh criticism, I am unable to judge; but it is a fact that the Chicago is not intended, and is not available, for harbor or sea-coast defense against iron-clads, and consequently she contributes nothing toward the solution of the present problem. She and her smaller consorts may prove valuable cruisers in the open seas, and excellent commerce-destroyers, but that is all for which they are likely to prove of service, and other means of harbor defense must be resorted to, if we are to hope for reasonable immunity from the seizure and spoliation of our centers of commerce in the event of war.

Manifestly, our chief dependence must be upon some adequate system of land sea-coast defense—upon our fortifications and shore batteries mounted with the most powerful improved modern ordnance, and our torpedoes connected by galleries with electrical operating rooms and magazines on shore, all protected and under cover of the fire from the forts or batteries.

One more quotation from the latest report of Admiral Porter, and I have done with the navy.

"What a pitiable exhibit for a country like this is the report of the Chief of Engineers of the Army, who states that there is not one of our ports that has any defense against even an enemy of very inferior character. I know this to be the case, from my own observation, for there is not a harbor in the country where an ordinary iron-clad cannot pass the batteries, choosing their own time for so doing. So it appears that our army defenses are in the same category as those of our navy. It is therefore indispensable that both should forthwith take a new departure, to insure that effectual protection to our countrymen which they have a right to demand. . . . When I speak of our unprotected coast, I refer to our lake coast, as well. In case of war between Great Britain and the United States, it would be comparatively easy for the former to get possession of all the lakes, and with her powerful navy lay our cities under contribution or destroy them. For this reason we should pay proper attention to our defenses on the shores of the great lakes. The dangers threatened here appeal directly to our representatives from the West."

All the military evidence goes to show that, with the exception of our torpedo system, upon which our military authorities, though with the greatest misgivings, place their chief reliance, we have absolutely no substantial defense for our great seaports.

As the channel to a commercial port must be open to permit the passage of our own vessels, sunken torpedoes, to be exploded by contact, cannot be used; they would prove as destructive to ourselves as to an enemy, and hence mines and torpedoes to be discharged from the shore by an electrical current are necessary. Magazines, operating points, etc., on shore, connected by galleries, are indispensable, and these must be defended and covered by the forts and shore batteries; otherwise, the magazines would fall into the hands of the enemy, or be destroyed, and the communications demolished or rendered unavailable Experienced and able officers of the army who have made the subject a study, have repeatedly, year after year, for more than a dozen years, drawn attention to the imperfections of our sea-coast defenses and their practical uselessness, without making any impression

upon Congress. Military men of every foreign service concede that the engineer corps of our army embraces as much theoretical knowledge as that of any army in the world, and its officers are esteemed the peers, in character, ability, and professional attainment, of those of any engineer service in Europe. While the practical experience of its officers has been necessarily restricted, because of the stringent economy of Congress in this direction, the officers of this corps have, so far as the funds at its disposal for such purposes, as well as those at the disposal of the Ordnance Department would allow, carefully experimented and reported upon such modifications and improvements in our fortifications and their armament as they deemed necessary.

A Board of Engineers for Fortifications, etc., has been established by the War Department, of which General Tower was, and General Newton is, president (the former having retired from service), with offices in New York City. General Abbot, under whose command is the Engineer School of Application at Willet's Point, is also a member of the Board, and has special direction of the torpedo service of the army.

Lieutenant Bixby, of the Corps of Engineers, who was on duty in France, engaged in the study of special summer engineering connected with the course of the École des Ponts et Chaussées, was detached from that service and instructed to obtain all the information possible as to the best system of making iron and steel plates for armor, the best system of rifled breech-loading ordnance, as well as the best system of sea-coast defense in Europe. Though he met with scant courtesy from Krupp, he was enabled to gain some useful information, and reported the same to his chief. His report, dated September 29, 1882, concludes thus:

"As a result of my journey, I have found that within the last few years some radical changes have been or are being effected in sea-coast fortifications and their armament; and such new features as presented themselves were carefully examined by me during my trip. Prominent amongst these changes are: The rapidly increasing and almost exclusive use of chilled cast-iron for armor defense on the continent, as contrasted with that of wrought iron or steel-faced wrought iron in Great Britain; the increasing weight and the alteration of form of turrets and turret machinery; the use of inclined or curved metal glacis, or barbettes; the rejection of steel facing for glacis armor; the unanimous adoption of breech-loading mechanism for heavy guns; the reduction of embrasure ports to an almost absolute minimum, and the consequent use of muzzle-pointing-gun gun-carriages; the

radical modifications in the shape and mechanism of such carriages; the possibility of an almost absolute non-recoil and no-embrasure eight-inch gun, completely masked, and firing with great accuracy and rapidity; the rapidly increasing use of hydraulic and automatic machinery for heavy guns and for their carriages; the almost entire rejection of open embrasures in barbettes; the increasing dislike to the use of Moncrieff and other similar too expensive and too complicated disappearing-gun gun-carriages; the increasing use of indirect fire from behind covering parapets; the importance now assigned to the use of the modern rifle mortar-howitzer, and the increasing accuracy and value of its fire; new modifications in the shape and material of projectiles, such as seem to point toward an increase of penetrating power; and, finally, the discovery of new explosives, which appear to be safer, more powerful, and more rapid in their effect, than either dynamite or nitro-glycerine."

A "Board on Heavy Ordnance and Projectiles" was constituted by the War Department in 1881, and met in New York City in July. Two officers of artillery, two of ordnance, and one of engineers constituted the Board, of which General Getty was president. From their report, made May 18, 1882, the inference may be drawn that there are no facilities in this country for the production or manufacture of ordnance and projectiles capable of giving as good results as the modern breech-loading rifled ordnance of the principal works and foundries of Europe.

To return to the evidence of the defenseless condition of our sea-ports, in a recent report the Chief of Engineers of the Army, General H. G. Wright, says:

"The casemated works, of which our sea-coast defenses are necessarily largely composed, were built when wooden walls were the only protection of guns afloat. Now, ships of war are clad in armor up to two feet in thickness, and the old smooth-bore guns have been replaced by rifled guns, the largest of which throw shot of nearly a ton's weight, and which burn at each discharge nearly a quarter of a ton of powder. While other maritime nations are adding to their already powerful navies heavily armored ships of war, which are armed with 81 and 100 ton guns, and which cost, exclusive of their armament, more than two and a half millions of dollars, they are building armored defenses for their own coasts. Great Britain has already more than five hundred guns in position behind armored defenses. We have not one such gun, nor have we any armored defenses whatever."

General Quincy A. Gillmore, whose reputation as a scientific military engineer is of the highest, in a late report upon the harbor defenses in his charge, embracing the Atlantic sea-board from New York to Florida, remarks:

"The published records of our War Department for the last dozen years show with great force and clearness that we not only possess no guns capable of making a good defense against a modern fleet, but that if we had

the guns we have no places in readiness to receive them where they could be effectively used against armored vessels firing small missiles and case-shot at suitable ranges.

"In other words, before we can hope to repel the attacks of war vessels of recent type, not only will the artillery for our forts have to be procured, but the forts themselves will need to be built, or the existing forts greatly modified.

"This statement is so entirely true with respect to the most valuable of our positions on the sea-board, that they may very properly be regarded as wholly destitute of protection, that which has been provided for them by the stringent economies of Congress being of little, if any, account."

Referring to the accessibility of our harbors to the iron-clad ships of European navies, General Gillmore says:

"There are more than a dozen fine harbors on our Atlantic coast—Portland, Portsmouth, Boston, Newport, and Hampton Roads being among the number—that are easily accessible to the largest war vessels hitherto constructed or contemplated. There are more than half a dozen other harbors—among which may be specified New Bedford, New London, New York, and Key West—into which a few of the deepest men-of-war cannot enter. But there is not one of them that does not possess ample depth to pass half the armored cruisers of Great Britain, including vessels armed with the 38-ton and 81-ton guns; all the German armored vessels except one; more than two-thirds of those of the Italian navy; all belonging to the Russian navy except two; all belonging to the Austrian navy except three; all belonging to Holland and Turkey without exception; and a large proportion of those belonging to the French and Spanish navies.

"The aggregate population clustered about these twenty harbors for armored vessels is nearly 3,000,000, while the value of public and private property within easy and destructive range of a hostile fleet cannot be far short of $2,000,000,000. The losses that might be inflicted in a few hours, in their present unprotected condition, would exceed more than ten-fold the entire cost of suitable permanent defenses for the whole country. . . . It appears, therefore, that our entire Atlantic and Gulf sea-coast, from Maine to Texas, is peculiarly at the mercy of a hostile naval power, and that our largest centers of population, commerce, and manufactures, where the greatest values are accumulated, and hence where the greatest temptations are offered and the greatest injury could be inflicted in the briefest interval of time, are within easy reach of the most destructive engines of war born of modern invention and science. The condition of the Pacific coast is equally defenseless."

Detailed reports from Colonels Macomb, Craighill, and other officers of the Engineer Corps, to the Chief of Engineers, say that the defenses of Philadelphia, Baltimore, and other sea-port cities, are utterly incapable of resisting the attacks of the new iron-clad ships armed with the latest improved heavy ordnance.

The same is true of Washington, Charleston, New Orleans, San Francisco, and other cities.

In reference to the lake frontier, the Board of Engineers on Fortifications, etc., report:

"The defenses for the lake frontier, so far as constructed, have been applied only to certain places on Lakes Ontario and Erie, to the Detroit River, and to the outlet of Lake Champlain. All of these, with the exception of the last named, were constructed of the simplest form, sufficient merely to resist a sudden assault, and armed only with a barbette tier of guns to meet attacks from a naval force.

"Naval supremacy has always been regarded as a necessity for protection to our commerce on these waters and to the large cities contiguous to the shores, such as Chicago, Milwaukee, Cleveland, Erie, Buffalo, Oswego, and others. There are peculiar circumstances affecting the relative chances of England and the United States acquiring at the outbreak of hostilities a naval supremacy upon the lakes. By treaty stipulations, both powers are equally enjoined during peace against keeping afloat more than a trifling number of guns; but in other respects the advantage would be largely in favor of England; for while the United States, at the commencement of a war, would require time to build and launch a fleet upon these waters, the former power might be enabled to send gunboats previously prepared into Lake Ontario by the Saint Lawrence canals, and thence into Lake Erie by the Welland Canal. By these means the United States might be anticipated, and its commerce on the lakes paralyzed or destroyed, and its cities laid under contribution. In this view, it is well to note that the Canadian authorities have been for a long period past, and are still engaged in, enlarging and deepening the canal systems which surmount the Saint Lawrence rapids and connect Lakes Ontario and Erie. To prevent the use of these canals for hostile purposes, it would be necessary to block the passage of the Saint Lawrence by heavy batteries, as also to seize and hold the Welland Canal, or else destroy locks so as to render the canals unserviceable."

From the stand-point of the department which has the entire system of sea-coast defense in its especial charge, the following, from the report of General Wright, Chief of Engineers of the Army, admirably summed up the subject last year:

"With old casemated works (than which there were none better in their day) designed long before the introduction of the 800 to 2000 pounder rifled guns into modern warfare; their walls pierced for guns long since out of date; without iron armor or shields, and but partially armed even with the old ordnance; with old earth-works, some of them built in the last century; with new ones for modern guns and mortars but partially built and rapidly being destroyed by the elements by reason of their incompletion; with gun-batteries without guns, and mortar-batteries without mortars; with no carriages whatever for barbette guns of large size, except such as require the cannoniers to load from the tops of parapets, from which they

can be picked off in detail by the enemy's sharpshooters; with an excellent defensive torpedo system developed at our torpedo school at Willet's Point, but only partially carried into effect; with but a very small number of our works prepared with the torpedo casemates and galleries necessary for securing the electrical apparatus from the enemy's fire, and for conducting the electric wires to the torpedo lines which must be laid when the day of trial comes; and with less than 200 engineer soldiers educated for torpedo and other engineer service, instead of the 752 men now authorized by law; and of whom not less than 520 ought to be ready to supply the detachments required for torpedo service in our fortified harbors,—we can make but a feeble defense against the powerful fleets now prepared and rapidly increasing, which will sooner or later be brought against us by some of the most powerful maritime nations on the earth, or by others nearer at hand, whose offensive naval means exceed our own, and whose powers are not to be despised."

This year, with trenchant satire (probably unintentional, and perhaps unconscious), in his latest annual report to the Secretary of War, dated October 13, 1883, Gen. Wright reports, respecting "Sea-coast and Lake frontier defenses," as follows:

"During the year, operations have been restricted to those necessary for the preservation and repair of existing works. No appropriations for new works, nor for the modification of existing ones, have been made during the past eight years, and to-day the permanent fortifications of the country are in the incomplete condition in which they were left when operations were suspended in 1876, and are rapidly deteriorating for lack of funds to complete them."

The foregoing evidence of our critical condition in the event of war would seem to be conclusive, and should procure prompt remedies; but as this, or evidence of like effect, has been for years iterated and reiterated, until it would seem that Congress had been entirely deafened by it, without producing the smallest beneficial result, an appeal to the country at large seems necessary. My own personal service at sea-coast and lake posts—as Fort McHenry, Md., Fortress Monroe, Va., Fort Pickens, Fla., Forts Hamilton and Lafayette, New York Harbor, and Forts Brady and Mackinac on the lake frontier—enables me to add my testimony to that of the officers upon whom the construction and alterations of the forts devolve.

A slight reference to the latest notable addition to the Italian fleet will give a conception of the immense superiority possessed by the navies of foreign powers over anything which we can oppose to them in defense. Premising that the 100-ton and 81-ton guns can send their projectiles with sufficient force to

penetrate and traverse any fortification or ship over which our flag floats, and that we have no ordnance that can make a serious impression on the walls of many iron-clads armed with these guns,—the facility with which a ship like the English Inflexible, of 11,880 tons and 8010 horse-power, armed with 81-ton rifled guns, or the English Alexandra of 9490 tons and 8610 horse-power, similarly armed (to say nothing of numerous other English and Italian iron-clads of from 6000 to 10,000 tons and from 5000 to 7500 horse-power), could enter Portland or Boston harbor uninjured, may be readily inferred.

The Lepanto, which was launched last spring, was altogether constructed in the Italian navy-yards, and is apparently the most formidable iron-clad afloat. She is of about 18,000 horse-power, and 14,000 tons, with a promised speed of seventeen knots (more than nineteen English miles) an hour. Her armament, to consist of four 100-ton turret guns and a number of smaller broadside guns, all rifled and breech-loading, will give her the greatest battery-power of any vessel afloat; while the tests made upon her armor by repeated experiment show that her turrets and sides above the line of flotation are practically impenetrable. When such a power as Italy, so recently united, and with resources so inferior to those of our own country, can make such strides toward naval supremacy and sea-port defense as she has during the past twenty years, it is a burning shame that we should be content with the practically defenseless condition of our great sea-ports.

Experiments are comparatively unnecessary. The nations of Europe have been vying with each other to obtain the most destructive ordnance and the best defenses, and have apparently reached a point where much further progress is impossible,—at least, for years to come, or until some new projectile force is discovered or some resisting substance invented stronger than iron or steel. We may take advantage of their position, and start from the point they have reached. But at present the appropriations made by Congress are barely sufficient to keep our old-fashioned fortifications from falling about the ears of their garrisons, or our obsolete old naval hulks from rotting in their docks or foundering over their anchors.

H. A. SMALLEY.

NEITHER GENIUS NOR MARTYR.

THERE are women, like men, of whom "Some are born great, some achieve greatness, and some have greatness thrust upon them." Among these last must be reckoned Jane Welsh Carlyle, a woman who, without strength of her own to rise above the common level, has been lifted into prominence through the greatness of her husband. It has been claimed for her, by Froude, that she was both genius and martyr; that splendid talents were repressed by constant exactions of her husband; that she was "a human sacrifice" slain upon the altar of his ambition. He has compared her to an "Iphigenia in Aulis." Gail Hamilton and other writers have followed his conception and comparisons.

Taken away from the nimbus of Carlyle's fame and the over-praise of critics, the history of Jane Welsh Carlyle's life does not show her to have been a great or even a remarkable woman, if steadfastness of purpose or heroic endurance of ills common to humanity typifies that which is worthy of admiration. Of herself, she accomplished nothing beyond writing two volumes of mediocre letters. Yet, few women of genius ever had better preparation than she for a career of intellectual labor. She was the only child of well educated parents, possessed of wealth, and having liberal ideas respecting the education of women. Through them she received an amount of instruction not common for girls at that period to obtain, as Latin and some knowledge of the sciences supplemented for her the ordinary branches of a girls' school. In addition to this, from early childhood until her twentieth year, she had the assistance and encouragement of the brilliant Edward Irving. The beloved friend as well as pupil of this renowned orator, it had been Irving's pleasure to expand her powers to the utmost, to cultivate her taste to a level with his own. With him she studied "Virgil"; he was her adviser in

literary matters, and her attempts at composition in poetry and prose were submitted to him for approval and correction. Upon Irving's departure from Haddington, Carlyle was requested to supply his place as Miss Welsh's literary adviser. This position Carlyle filled with great assiduity for the five years which preceded their marriage. He studied German with her; introduced her to the works of Goethe and Schiller; supervised, as Irving had done, her verses and tales, and with the same result. The children of her brain died with their birth.

Enough women have written, and will continue to write, for this individual failure to be unworthy of mention, were it not that Mrs. Carlyle's claim to genius has been asserted by numerous English and American critics. One of these asserts that Mrs. Carlyle was not her husband's "inferior in intelligence." Another, reviewing the letters edited by Froude after Carlyle's death, compares her abilities to George Eliot's. "So unmistakeable," says this writer, "are the signs of uncommon literary talent in these letters, that one cannot help thinking with a twinge of regret and indignation that with a little loving appreciation and generous encouragement from him whose commendation she would have accounted priceless, the world might have gained in Mrs. Carlyle a great novelist. . . . Had he done for her a tithe of what George Henry Lewes did for Mary Ann Evans, . . . English literature might have had a double reason to be grateful to the name of Carlyle."

As if every reader was not aware that Marion Evans had achieved a position in literature for herself long before she made the acquaintance of Lewes. Assistant editor of the "Westminster Review," an able writer of essays and translator of abstruse German philosophical works before she met Lewes, she required no fostering care from him to make her genius blossom. Between herself and Lewes, the connection was in one phase a literary partnership, contracted when both were in the prime of life, and where the woman furnished an equal amount of capital with the man in the form of brain vitality. Between the two women not a shadow of intellectual similarity existed. George Eliot shunned the world to have leisure for thinking and working. Never less alone than when alone, her days and nights were devoted to study. She had mastered many sciences. "Probably," says Justin McCarthy, "no other novel writer since novel writing became a business, possessed one tithe of her

scientific knowledge." Mrs. Carlyle, on the contrary, was a superficial woman, lost without society. Her learning was little beyond that of the average school-girl of to-day. According to her husband, she did not know enough of grammar to correct proof-sheets of her friend Caroline Jewsbury's novels,—an assertion that she did not contradict, and which is borne out by passages in her letters which remained untouched by their editors.

Partly exiled from society during the first seven years of her married life, Mrs. Carlyle was in a constant state of *ennui*. Unlike a woman of genius, she found no solace in books which could ripen into fruition talents she might have possessed. Her reading was that which exacted no attention. The literature which her husband enjoyed was to her positively distasteful. Old folios, and almost illegible manuscripts which he ransacked for materials to write a "French Revolution" or a "Cromwell," were in her eyes "rubbish which she wished at the bottom of something where she might hear less about it." "She read the first two volumes of 'Friedrich,'" says Carlyle, "most of it in the printer's sheets. . . . The other volumes (hardly even the third, I think,) she never read." The circulating libraries supplied her with novels, which she read lying on a sofa, after the manner of fashionable women, who utilize the thoughts of others for the purpose of stifling their own. It is against Carlyle and in favor of a woman of this caliber that Froude complains. "Carlyle consulted her judgment about his writings, for he knew the value of it; but in his conceptions and elaborations he chose to be always by himself. He said truly he was a Bedouin." This is amusing, since all men and women, when writing, desire to be alone. Did Froude wish the wife to conceive "Sartor Resartus" and Carlyle to elaborate it, or should she have elaborated her husband's conceptions? Either way, it would have been a strange medley.

That great men admired Mrs. Carlyle does not prove her possessed of sufficient ability to assist in the elaboration and conception of her husband's works. Intellectual men take as much delight as others in listening to airy nothings spoken by pretty women who come within the radius of their social circle, and shine there either by their own or, as in Mrs. Carlyle's case, by reflected light. Some kind of brilliancy, however, they must have. It is without the bounds of possibility that Jane Carlyle,

as plain Jane Welsh, would have provoked Tennyson, as is said, into throwing himself into a cab for the express purpose of going to the other end of London to visit her; that Leigh Hunt would have embalmed her name in verse; that Darwin would have attended her; or that the great Jeffrey, like the old flirt he was proud of being considered, would have courted her with sufficient *impressement* "to cause considerable jealousy of the reigning queen among the non-reigning."

This flirtation between Jeffrey and Mrs. Carlyle has occasioned some severe criticism; and, peculiar circumstance, it is not the wife but the husband who is made to appear the wrong-doer. "It is not to Carlyle's credit," writes Gail Hamilton, "that he never shows the slightest uneasiness at Jeffrey's attitude toward his wife. . . . If Carlyle had been a man instead of a stone, he would have died of despair at seeing how differently from a stone a man bears himself toward a woman. Being a stone, he never saw that Jeffrey was a man." In such a flirtation a commonplace husband, even if not suspecting wrong, would at least have been jealous of attentions paid to a young and pretty wife by a prosperous man like Jeffrey. It is high praise to Carlyle that he was neither suspicious nor jealous at a time when he was writing for bread in a maze of doubt as to how he was to find a public. Sick, sad, and solitary himself, by the nature of his occupation obliged to be alone, he yet enjoyed Jeffrey's openly avowed admiration of his wife; could listen to her "humorous bits of narration about it"; and could write, "Suspicion of her nobleness would have been mad in me; and could I grudge her that little bit of entertainment she might be able to extract from this poor, harmless sport in a life so grim as she cheerfully had with me?" If this is feeling like a stone, it would be well for most women if the generality of mankind would get themselves transformed at once.

One outcome of this intimacy was an offer on Jeffrey's part to assist Carlyle, by settling a yearly income on him of one hundred pounds. This generosity was not intended so much to aid a struggling genius as to place in more comfort the life of the woman he loved. Carlyle has been blamed for refusing to accept this pecuniary help. "Jeffrey," it has been said, "never appeared better, or Carlyle worse, than in this transaction." Yet, surely Carlyle was right in refusing to sacrifice his independence, although by doing so the necessity to leave Edinburgh would

have been prevented, the residence at Craigenputtock rendered unnecessary. This Craigenputtock episode in the life of these two people has excited as much compassion for Mrs. Carlyle as if she had been another Margaret Roberval, condemned to live alone upon a desert island; although this place, to which they were driven by want of means to exist in Edinburgh, was in a foreign land but fifteen miles from Templand, where Mrs. Carlyle's mother lived, and twelve miles from the town of Dumfries.

It was in search of food and raiment that Carlyle took his wife from their pretty little home at Comely Bank to live with him at Craigenputtock. Eighteen months of housekeeping had caused the few hundred pounds with which they had started to dwindle down to a sum too small to count on for future exigencies. The visible financial resources ebbing away, "no periodical editors desiring him," bad health bringing all manner of dispiritment, and "despicablest fears of coming to absolute beggary besieging" him, Carlyle had turned to this moorland farm, where, amid the silence of nature, and undisturbed by petty wants, he could go on with his task and write that which would compel recognition of his genius. Neither was this "Craig o' Putta" such a terrible place as it has been described. The large manor house, in which the Carlyles lived, had been put in order for them throughout, in masonry and carpentering, by Mrs. Welsh, delighted at the thought of having her daughter so near. The house itself was a substantial, comfortable, and even half elegant building. The drawing-room, finely papered, furnished with the family furniture from the residence at Haddington, a piano, and Goethe's picture on the wall, was quite smart. Behind the drawing-room was the library, filled with books, a snug little room, with green curtains, and in winter a bright fire, where Carlyle sat and wrote with his wife beside him, "and could laugh at the howling tempests without." Adjoining the main building was the farm cottage, in which lived Jane and Alexander Carlyle, sister and brother of the great writer. Upon them fell the task of managing the farm, which had the usual number of serving people. Three men and two women were employed, independently of Mrs. Carlyle's own maid.

Surrounded by these active, helpful people, it could not have been necessary for Mrs. Carlyle, as has been charged, "to break

down health and strength with household work; to wear her life out milking cows and scouring floors." Much hard work there could not have been in a household of two tidy persons, who entertained but little company, and where one servant at least was always at hand, to do the drudgery of cooking, scouring floors, and washing pots and pans. To superintend this work was Mrs. Carlyle's greatest hardship,—a trial that, in her case, seems to have been aggravated by her husband's unique taste in desiring clean dishes and well-cooked food. "He did not care for delicacies," says his biographer, in pitying Mrs. Carlyle, "but cleanliness and perfect cooking of common things he always insisted on." He did not like it, "if the porridge was smoked or the bread heavy . . . . or a dish ill washed."

It was for attending to these little things that Mrs. Carlyle has been praised. The baker's bread brought from Dumfries was sour, and the wife felt it her duty to see that this article of food was prepared properly at home. No great difficulty this, one would imagine, even for a woman brought up, as she cried, "to do nothing but cultivate her mind." Over the doing, however, she made more fuss than did Florence Nightingale in supervising the wants of an army of soldiers. Things of this kind, that other women do and forget, Mrs. Carlyle has perpetuated by means of conversation and letters. What she gave up for her husband, as well as what she did for him, was recounted to her friends. Among others, she related her trials to Caroline Jewsbury, a third-rate novelist, who has made from her statements a moving romance of the "Minerva Press" order. All who have tears to shed are called upon by her to weep over Mrs. Carlyle, not only overworked, but "shut up in a desert with a man who seldom spoke to her, who gave her no human tenderness, no caresses, no loving words, nothing out of which one's heart can make the wine of life. A glacier on a mountain top," she says of Carlyle, "would have been as human companionship."

Instead of this being the case, Mrs. Carlyle, writing from Craigenputtock, in one of her good moods, tells us, "My husband is as good company as reasonable mortal could desire." Other letters prove that, instead of having less, she had more of her husband's presence than most women. Their life at the "Craig o' Putta," as described by themselves, shows him both warm-hearted and thoughtful. It was their custom on every fine

morning to have an hour or more of galloping together on horseback through the beautiful valley of the Frith. Returning home and breakfasting, Carlyle took to his writing, while his wife, studious only of household good, inspected her garden, gathered flowers for her drawing-room, or engaged in any work that seemed fittest. At the dinner hour, Mrs. Carlyle had her husband's society again.

In addition to this meeting at meal-times, there was an evening half hour which Carlyle, however busy, made a practice of devoting to his wife. This half hour, which he calls "the one bright portion of my black day," was passed in the drawing-room, she lying on the sofa, he sitting on the floor at her feet, on a rug, with his back to the jamb, and the door never so little open so that the smoke from his pipe might be drawn up the chimney, and so not annoy her. During this half hour Carlyle was the talker, his wife the listener. This has been called egoism in him, her friends clamoring that he did not give his wife, who was also a brilliant talker, a chance to speak. This charge is made idly enough; no one, not even his wife, cared to interrupt this best Saxon thinker and speaker of his time. The brightest minds of England were glad to sit

"Mute when the Corypheus spake."

His wife, like the rest, was charmed into silence. She wrote to his mother: "It is my husband's worst fault with me that I will not or cannot speak. Often, when he has talked for an hour without answer, he will beg for some sign of life on my part, and the only sign I can give is a little kiss." This was the best answer she could have made, and shows her husband intensely human. Women do not lavish caresses on glaciers or stone men. Neither do they write in such terms of endearment as she uses to her husband. It is still in the Craig o' Putta period, when she writes to him from her mother's home at Templand: "You said you would weary, and I do hope in my heart you are wearying. It will be so sweet to make it all up to you, when I return. You will take me and hear all my bits of experience, and your heart will beat when you find how I have longed to return to you. Darling, dearest, loveliest." His answers are in the same strain. A letter from her is what "the drop of water from Lazarus's finger might have been to Dives in the flames,"

or "like a cup of water in the hot desert." He is "very rich with her," he writes, "were I without a penny in the world: but the Herzen's Goody must not fret herself and torment her poor sick head. I will be back to her; not an hour will I lose. Heaven knows the sun shines not on the spot that could be pleasant to me where she was not."

With his wife on her way to join him in London, he is filled with apprehension that an accident of some kind will befall her, and writes: "All yesterday my thoughts were with thee in thy lone voyage, which now I pray the great Giver of all good may have terminated prosperously. . . . I felt that my best possession was trusted to the false sea, and all my care for it could avail nothing. Do not wait a moment in writing; I shall have no peace till I know that you are safe. . . . Of rest I can well understand you have need enough. I grieve to think how you have been harassed of late. . . . Alas! I have no soft Aladdin's palace here to bid you hasten and take refuge in; . . . no better shelter than my own bosom. . . . Thank God, this still is yours, and I can receive you there without distrust, and wrap you close with the solacements of a true heart's love." It gives him joy to think that in this specter-crowded desert "I have a living person whose heart I can clasp to mine, and so feel that I too am alive." She writes him of some skin disease, and he answers: "The disease on that fair face — how is it? If no better, never mind; I swear that it shall and will get better; or, if it does not, that I will love you more than ever while it lasts. Will that make amends? It is no vain parade of rhetoric — it is a serious fact; my love for you does not depend on looks, and defies old age and decay, and I can prophesy will grow stronger the longer we live and toil together." Words that were fulfilled, for his love was as strong and beautiful at seventy as in his youth.

It is true that in the forty years of their pilgrimage together the domestic machinery had many hitches. These have all been attributed to the man, no one caring to record that his wife as well as he could stir up a home tornado. She, by her own account, was "a sky-rocket that could go off on the strength of its own explosiveness." To be "in a devil of a temper" was as common an occurrence with her as with him. And if Carlyle was not easy to live with, as has been asserted, she was still less comfortable, for she did not have his talent of forgetting things

that caused anger. According to Froude, "when provoked she was as hard as flint, with possibility of dangerous fire." As a child she was called by her teacher "a little deevil," for fighting a boy and making his nose bleed. She quarreled with her own family, her mother not excepted. A story is told of her scolding her mother in a manner to make her weep bitterly, for purchasing some extra candles and cakes to furnish a party for her. The lovely relations in which Carlyle lived with all his family were not hers. This she recognized when comforting him for his mother's death. "Your grief for your mother," she writes, "must be altogether sweet and soft. You must feel that you have always been a good son to her; that you have always appreciated her as she deserved, and that she knew this and loved you to the last moment. How thankful you may be that you went when you did. . . . Oh! what would I have given for last words to keep . . . but the words that awaited me were: 'Your mother is dead!' And I deserved that it should so end; I was not the dutiful child to my mother that you were to yours."

A loving, self-sacrificing son and brother, it was impossible that Carlyle could have been the monster of ferocious selfishness that his wife with her caustic pen has pictured him, not only in letters to her friends, but in the note-book kept for her own private use. In her diary, written in 1855, the records are of one resentful, who has brooded over small things until they have assumed large proportions.

This diary of Mrs. Carlyle's tallies with her character. Coming into contact with the greatest men and women of her day, she found no higher use for this journal than to record in it her jealousies and domestic services. The very commencement of this note-book is an outrage against womanly dignity. Its entire contents almost justify Charles Buller's defense of the Duchess de Praslin's murderer: "What could a poor fellow do with a wife who kept a journal, but murder her." An absurd jealousy of Lady Ashburton, her husband's friend, is one plea for writing this book; and yet she confesses, "What good is to result from writing it in a paper book is more than I can tell."

Some of the entries are, to say the least, exceedingly puerile. A *miserere* is made out of so small a thing as this: "The evening devoted to mending Mr. C.'s trowsers, among other things:

"'Being an only child,' I never wished to sew men's trowsers, no never!" . . . "Mended Mr. C.'s dressing-gown."

> "When I think of what I is, and what I used to was,
> I gin to think I've sold myself for very little cas."

This entry is on a par with a long letter addressed to a physician, which is filled by her with a description of how she took two days to mend a pair of her husband's old boots. This service a cobbler would have done much better, and in half the time, for the compensation of a few shillings,—money that she was well able to pay, as Carlyle was then (1863) in the zenith of his fame, and in excellent circumstances. Over the funds she had unlimited control. Carlyle, always liberal with his means, was at that very time urging her to purchase a carriage for her own use,—a luxury which, in the autumn of that same year, he presented her with himself. For allowing his wife to put a flannel lining in his boots, Carlyle has been called "a brute" and "a cad." The probability is that, immersed in "Friedrich" as he was, until the thing was done he did not know how it was being accomplished. Through doing just such unnecessary things, and crying about them afterward, Mrs. Carlyle has gained the reputation of having been a martyr to the whims of an exacting husband, when she was only a thrifty Scotch woman, trying "to make a crown a pound" by saving on the household economies,—a habit which had grown upon her, perhaps, in the poverty of those early years when Carlyle haunted the libraries and roamed the streets of London with worn boots "and hat well nigh rimless."

Still, even when begirt with this, which Emerson called "the most honorable poverty he ever knew," Mrs. Carlyle was no martyr. A linnet carried on the eagle's back to the sun, she was always bathed in a glory. Means for household necessities there always was; and in her darkest days a Mazzini came to visit and confide in her; a Cavaignac listened to her stories and claimed her for a French woman, which in many of her characteristics she certainly was. Her beauty, even, was of the south, not of the north. Black-haired, with large, lustrous black eyes; clear, olive complexion; irregular features; mobile mouth, varying with every expression of her warm, passionate nature; tall, lithe, and graceful in person; quick and impetuous in temperament; loving to kiss and be kissed; changeful of mood; turning easily

as a child, even in old age, from laughter to tears, from smiles to frowns; swayed by impulse more than reason,—Mrs. Carlyle was a strong type of the neurotic woman, whose every weakness is an added charm.

Women of this nature, fascinating in society, are not always the most desirable companions at home. For Carlyle, there is little doubt that his life would have been more pleasant, and his posthumous fame greater, had poverty not been a barrier to his marrying his first love, the fair and amiable Margaret Gordon, the original of the Blumine he has pictured under the head of "Romance" in "Sartor Resartus." About this "Rose goddess" there was a greater dignity, a more self-sustained poise of character. Not so bright and sparkling as Mrs. Carlyle, she was less fanciful; her emotions lay deeper. In this she would have suited better to have toiled through life with the man who had cried with Goethe, "There is in man a Higher than Love of Happiness; he can do without Happiness, and instead thereof find Blessedness."

It was in pursuit of this God-inspired doctrine that Carlyle overlooked the little things that make the joys of little minds,—among them, the craving of his wife's emotional nature to have him ring the measures of his love by "every hour i' the clock." The egoism of her own love was so intense that, a middle-aged woman, she desires him still to be her "sighing Strephon," and in some moment of penitence writes to him: "Oh, why cannot I believe it, once for all, that with all my faults and follies I am dearer to you than any earthly creature?"

"Unfaith in aught," sings Tennyson of Love, "is want of faith in all." This unfaith was at the bottom of most of Mrs. Carlyle's wretchedness. In her girlhood, she tells Carlyle: "When I read in your looks and words that you love me, then I care not one straw for the whole universe besides. But when you fly from me to smoke tobacco, or speak of me as a mere circumstance of your lot, then indeed my heart is troubled about many things." This love was a feeling that absorbed her whole existence, and she could not pardon the books or friends which drew his thoughts or time from her.

And, alas! the nature of her employments gave her time to think of what she gave him and received in return. Emerson's noble "If I love you, what is that to you," met no response in her soul. She demanded her pound of flesh, or spirit rather, as

was bargained for, forgetting that the best love is that which delights in giving, which asks for no return. Wrapped in an egoism of sentiment, a hasty word, a preoccupied look, a letter not on time, were sources of grief to Jane Carlyle. Paroxysms of dread assail her at times, for fear that her hot temper and exactions have driven her husband's affections from her. On her forty-third birthday a letter fails to come until two hours after it is due. In these two hours Mrs. Carlyle contrives to get through so many emotions that she is "as much broken to pieces as if she had come through an attack of cholera and typhus fever." She shuts herself "up in her own room to fancy everything that was most tormenting." "Were you," she writes to Carlyle, "finally so out of patience with me that you had resolved to write to me no more at all? Were you taken so ill that you could not write? That last idea made me mad to get off to the railway and back to London. Oh! mercy, what a two hours I had of it!" The letter when it arrived set her mind at rest for the time, as it was most affectionate. A present accompanied it, of which she says: "Yes, I have kissed the dear little card-case, and now I will lie down awhile and try to get some sleep."

In the June of 1844, a time when, according to Froude, the two had parted for the purpose of a final separation on account of Carlyle's coldness, she writes to him in a fresh outburst of enthusiasm: "Oh, my darling, I want to give you an emphatic kiss, rather than write! but you are at Chelsea and I at Seaforth, so the thing is clearly impossible for the moment. But I will keep it for you till I come, for it is not with words that I can thank you adequately for that kindest of birthday letters and its small enclosure,—touching little key! I cried over it, and laughed over it, and could not sufficiently admire the graceful idea—an idea which might come under the category of what Cavaignac used to call '*Idées de femme*,' supposed to be unattainable by the coarser sex."

No better proof of the mutual love of this couple exists than the habit they had of writing daily to each other during absence. Only illness of a severe character ever prevented either from sending this token of remembrance. Mrs. Carlyle chronicles the receipt of two beautiful letters from her husband in one day. At the age of sixty-four, she tells him: "You are so good about writing that you deserve to be goodly done by." A

breakfast to her without a letter from him "was of the stupidest." "The absence of the loaf or coffee-pot would have been less sensibly felt." "When you are so unfailing in writing to me,—and such good, kind letters,—it were a shame if I willfully disappointed you." If these letters failed through any cause, Mrs. Carlyle would get into one of her rages and write very bitter words. When she did this to her husband it was not much amiss; conjugal scoldings, it is said, frequently follow such passionate endearments as she indulged in. The unpardonable sin was her want of loyalty in writing complaints of him in moments of anger to her and his friends. This showed her lacking in that fine instinct which in all ages has taught the learned or unlearned, the great and the humble, to hide the failings of one beloved. Fidelity of this sort, woman's most beautiful characteristic, Mrs. Carlyle possessed in the most limited degree.

She also lacked refinement in many other ways that tend to make woman respected as well as admired. She smoked tobacco; swore and used unseemly words upon slightest or no provocation; had no faith in things seen or unseen. This latter fault, Gail Hamilton taxes to her association with Carlyle; but Edward Irving reproached her with it in youth. She was sarcastic to a disagreeable point. Irving, with unloverlike frankness, describes her at twenty as one "who contemplates the inferiority of others rather from the point of ridicule and contempt than from that of commiseration and relief; and by so doing she not only leaves objects in distress, and loses the luxury of doing good, but she contracts in her own mind a degree of coldness and bitterness which suits ill with my conception of female character. . . . I fear she will escape altogether out of the region of my sympathies and the sympathies of honest home-bred men."

Of the man who wrote thus about Jane Carlyle, just previous to his marriage with another, many pretty bits of sentiment have floated through the press, such as this: "It is sixty years ago, and the heartache of it is as heavy and hopeless to-day as on the sad morning when he turned away from what seemed to him Paradise, because his love was in it, to die of a broken heart." Sweetly pretty, but not biographically correct. Irving died at forty-three with a complication of disorders affecting his brain, and unconnected with his heart. To complete

this romance, Mrs. Carlyle is made also the heroine of a loveless marriage. She is said to have married for "ambition," "while her maiden heart was sore and sad for her lost love, and empty of hope." To have loved one man while vowing to love another, such a hideous wrong Mrs. Carlyle did not perpetrate. The charge, like many others, has been made for the purpose of weaving the materials composing her life into a moving story.

Her biographers have been animated with this desire to cast a halo of romance around one who seems to the average female mind to have been worse than commonplace. Loving Irving, as she said, "passionately," the earth has scarcely time to revolve once around its orbit before she is just as passionately in love with another. After marriage, instead of taking some human child into her sympathies when her means allowed it, she cherishes a poodle dog! carries this with her wherever she goes; kisses it and calls it her "Blessed dog"; has it to sleep in the bed with her during her husband's absences! Complaints that a modest woman only mentions in private to her family physician, are with her topics of common conversation with her friends. In this she does not appear to have had the slightest reticence, where reticence would have been both dignified and proper. Concerning her illnesses and domestic trials, she used expressions of most extravagant hyperbole. Did she bake a loaf of bread, she compares herself, weeping, to Benvenuto Cellini forming a Perseus. When she is expecting a new servant to train in household ways, she writes to a friend that, because of her husband's irritability, she must stand between him and her servants, "imitating thus the Roman soldier who gathered his arms full of the enemy's spears, and received them all into his own breast." Of a girl who was leaving her, she says: "Mr. C. always speaks of her as 'that horse, that cow, that mooncalf!' But upon my honor it is an injustice to the horse, the cow, and even the mooncalf." This quality of exaggeration, whether natural or acquired, extended to all things. When a young girl, she dated a letter to Carlyle—in a fit of momentary impatience with friends and surroundings of her own choosing—as from "Hell"; a proceeding which is of a piece with Carlyle's signature of "Devil's Den" appended to the Burns essay written at Craigenputtock.

Other examples of this kind are to be found all through Mrs. Carlyle's letters. Her metaphors are very extravagant when

speaking of noises that disturbed her sleeping. Was it a barking dog that annoyed her, "the whole universe was turned into one great dog-kennel." The braying of an ass and crowing of a cock at midnight was "one devilry after another,— several asses braying as if the devil was in them,— never so many cocks challenging each other all over the parish." All noises disturbed Mrs. Carlyle quite as much as they did her husband, and when she was energetic in trying to stop them, it was as much for her own comfort as his. This could not be suspected, from reading the grand terms she uses in recording her services. Carlyle "clasping her in his arms and calling her his guardian angel" was not sufficient recompense; she invoked the gratitude of "posterity" and praise of "unborn generations."

After his wife's death, Carlyle annotates the Roman soldier letter: "Oh heavens, the comparison! it is too true." Others bring the exclamations: "My poor martyred darling! Terrible to me was the reading of this." "Alas! *Ay de mi*," and "Oh, what of pain, pain, my poor Jeanie had to bear in this thorny pilgrimage of life." These self-accusations have been taken as evidence of Carlyle's guilt, when they were only tokens of the greatness of his love, the poignancy of his grief. Alas! like many others,— and those the most loving,— when death came it brought vain regrets that he had not been kinder when it was in his power. His remorse, which he gave vent to in words sad as the lamentations of Job, bear this thought constantly as their burden. "Blind and deaf that we are, oh think, if thou yet love anybody living, wait not till death sweep down the paltry little dust cloud, and idle dissonance of the moment, and all be at last so mournfully clear and beautiful when too late."

In this remorse all the failings of his dead wife were forgotten. How holy are the dead! The dust had reclaimed its own, and memory painted her as some beautiful, radiant being whose soul came direct from the Empyrean. "A winged Psyche who soared above sickness and refused to be degraded by it." Not all the celebrated women of his time "could, if all boiled down and distilled to essence, make one such woman." She was his noble heroine and martyr. Her loyalty to him he never suspected. Even after reading letter after letter of complaints about his bad temper, old boots, and general atrabiliary condition, he can say: "She at no instant, never once, I do believe, made the least complaint of me or my behavior (often bad, or at

least thoughtless and weak)." Her diary of 1855 — so beautiful is the blindness of love — he does not comprehend; publishes it thinking "the king can do no wrong." He accepted without any analysis her own estimate of her troubles; felt with her that they were greater than ordinary; and although no great grief, except the loss of parents, came into her life, prolonged to sixty-five years, he inscribes on her tombstone that, "In her bright existence she had more sorrows than common."

Along with this fanciful estimate of his wife's character, there came a remorse as exaggerated for his own shortcomings. Little things in which he failed rose up before him as accusing angels. A refusal to alight once, at his wife's request, at her milliner's, wrings from him the cry, "Oh cruel, cruel! I have remembered Johnson and Utoxetter on thought of that Elsie cruelty more than once; and if any clear energy ever returned to me, might some day imitate it!" In one way, Carlyle did imitate Johnson's stern expiation of his one remembered act of youthful disobedience. "For many years after she had left him," writes Froude, "when we passed the spot in our walks where she was last seen alive, he would bare his gray head in the wind and rain—his features wrung with unavailing sorrow."

Froude, who listened to all Carlyle's outpourings of love and grief for the wife snatched from him in a moment,—as if by the gods, while taking a pleasure drive in her carriage,—took his friend's babblement all too seriously. Carlyle was then past seventy, Froude some years his junior. It is easy to imagine these two old men talking of the one who was gone, and how, from these conversations, Froude got the idea that Mrs. Carlyle had been a superhumanly lovely being, who was slain upon the altar of her husband's ambition, "a human sacrifice," another "Iphigenia in Aulis." The descriptions of Froude have been accepted and improved upon, until it is written, in all gravity, that "Carlyle was created with a mere rudimentary heart; his development required the offering of a rare and radiant maiden who should lavish on him her heart and life."

Not so will future generations understand the relations of this couple. When Carlyle's "Day of Judgment" has passed, an "Hour of Recognition" will come, when he will be seen as one of the most splendid figures of this nineteenth century. Perfect in his relations as husband, son, and brother; veiling a deep love of humanity under a mantle of irony; "Truest friend and

noblest foe," Emerson's verdict will be accepted as the true one. "Strong he is, upright, noble, and sweet, and makes good how much of our human nature." In this time his wife will be relegated to her proper position; the world will know her neither as genius nor martyr, but simply as the wife of the great man whose name she bore. Her highest praise will be that in an age of *gig-women*, as well as gig-men, she chose to encounter poverty with love and Carlyle rather than a life of ease and luxury without him.

ALICE HYNEMAN RHINE.

THE STORY OF A NOMINATION.

ABRAHAM LINCOLN is now regarded as having possessed at each successive stage of his presidential career, if not before it began, the all but unanimous and enthusiastic love and confidence of his "Union-loving" fellow-citizens. All patriotism and all devotion to the cause of the Union is popularly believed to have stood by him unswervingly. It seems to many even painful to measure the position he occupied prior to the final triumph of his administration, otherwise than by the grand majorities of his second election, supplemented by the frantic grief which surged around his coffin. Almost forgotten is the long struggle for the constitutional supremacy of the civil authority over the military. So are the dissensions and disaffections in the Republican party; so are the bitter, personal animosities of which Mr. Lincoln was the object. A better memory of all these things, and a more perfect historical record of them, would be better justice to him.

The animosities against Mr. Lincoln were of various origin. A noteworthy characteristic of many, and these not by any means the least important or offensive, was that they were not without strong apparent cause. They temporarily embittered the souls and affected the conduct of men who were true and faithful citizens, willing to make any sacrifice, even of life itself, to the cause and country to which they were devoted. It is worth while to ascertain some of the methods, seen or unseen at the time, by which animosities so bitter and disaffections so strong were rendered innocuous. It is well to know why they failed to assume such shape as to prevent Mr. Lincoln's second nomination and triumphant reëlection.

There is no character of modern times better worth studying than that of Abraham Lincoln. A thoughtful reading of his record sometimes impels to the mental inquiry: "Was this man

a prophet? Did he foresee these things, that he was ever so well prepared to meet their coming?" He was no prophet, and his foresight was of a nature peculiar to his own genius. In the deepest and highest signification of a much misused word, he was a "politician," including in that term all that may be meant or conveyed by its inferior synonym, "statesman." He was a born leader of men, and his natural faculties had been trained and developed in every grade and department of the great school provided for him. He received a full half century of varied preparation for the work at last put into his hands as President of the United States during civil war and revolution. One strongly marked natural characteristic was left, profitably undisturbed, through all the processes of his toilsome and painful education. This characteristic found its expression in the fact that he never studied himself, morbidly, nor experienced any especial anxiety as to his own inner motives. He was keenly conscious, always, of the possession of uncommon powers, but, being nearly destitute of self-analysis, he continually exercised those powers in an unconsciousness of either their degree or the methods of their operation. He did many great things, hardly aware that they were great, and not much troubling himself to discover or to precisely define why he did them. Such causes of action as, from time to time, he both thoughtfully sought out and publicly declared, were always external to himself and to his personal interests, and their expression included no obtrusive analysis of his mental processes.

Mr. Lincoln did hardly anything with an intention of thereby assuring his second nomination, but he did many things, and helped in the doing of others, which unintentionally operated to bring it about. Beyond a doubt, there were political as well as military reasons, but none of them personal to Mr. Lincoln, for the removal of General George B. McClellan from the command of the Army of the Potomac, in November, 1862. That the military reasons were sufficient to the mind of the President, and that these only were publicly defined and declared, proves but one thing,—that he was dealing then with the political "present" only. He went no further into the political future than to discern, very acutely, that there was one, and that he must both expect and prepare for it.

There were many reasons, politically, why the removal of General McClellan, at such a time and in such a manner, must

have at least one assured and permanent effect. It predestined the removed General to be the Democratic candidate in the next presidential campaign, around whom all the scattered forces of the multifarious opposition could and did rally. More than that, it entered him for the presidential race, in advance, with the chances for success apparently strongly in his favor, provided for him by the Republican Administration. If the vote which was finally taken in the autumn of the year 1864, could have been taken in the fall of 1862, instead, he surely would have been elected over Mr. Lincoln, or over any other possible Republican candidate, as a study of the election returns of the latter year will convince any political student.

A secondary effect of General McClellan's removal, and one which was related to its first effect, was plainly perceptible at the time. This was that Mr. Lincoln's prospect for a second nomination by his party, already painfully small, had by his own act been sensibly diminished, however wisely for the public interests or however conscientiously he had acted. In this and in other ways, as if reckless of all results to himself, he had for the time almost destroyed his political availability. So far as General McClellan was concerned, the effect produced was sufficiently lasting to secure his eventual nomination. The adverse effect upon Mr. Lincoln was speedily followed by a partial reaction; but this operated slowly. It required to be supplemented and aided by other causes, among which came, in due season, the victory at Gettysburg, the surrender of Vicksburg, and the other military successes of the years 1863 and 1864.

Mr. Lincoln had unintentionally performed, in advance, an important task nominally belonging to the next Democratic National Convention. He had selected its presidential candidate. He had thereby done nothing, however, to facilitate the work of the next National Convention of the Republican party.

When, at last, the two great party congresses met and acted, it was made to appear, and the people generally supposed at the time, and have since believed, that the action of both alike was perfunctory, automatic, and unobstructed. This was true of the Democratic body, beyond a doubt, but not of the Republican. The renomination of Abraham Lincoln, inevitable as it seemed to many, was neither spontaneous nor unanimous, nor was it obtained without active and determined opposition. The work

of the Republican National Convention at Baltimore, in the year 1864, was indeed transacted for it beforehand, but not in any manner so public and open as had been the formal transfer of General George B. McClellan from the command of the Army of the Potomac to the unquestioned leadership of the Democratic party.

For some years before the war, and during its entire continuance, the conspiracy which prepared and produced the Rebellion operated effectively, both at the North and at the South, through affiliated secret organizations. These covered the latter section like a fine net-work, and their ramifications penetrated the Free States in every part. At the South, also, under the terrible oppression that crushed them, the colored men and the Union-loving white men formed secret associations. These were more or less local in their scope and extent, but were provided with all the customary appliances for mutual intercommunication. No loyal secret societies or affiliations worth mentioning were organized at the North until early in the year 1862. At that time, signs of movements in this direction began to appear, and wise men at Washington seized eagerly the idea of a consolidation, centralization, and general extension of an agency so promising. Meetings of some of these men were held in a room of the Department of the Interior. At one of these meetings a full plan of operation was perfected, a name was adopted, and the Union League of America was born of a unanimous vote of less than a score of men. "Councils" were formed at once all over the city of Washington, and these almost instantly swarmed with members. Paid agents were forthwith sent out over the North to organize councils everywhere. These agents were instructed to preserve, as much as possible, in each community, the idea of local spontaneity. As a consequence of this, there are not wanting, at this day, towns and cities which fondly preserve a local tradition of being the birthplace of the Union League.

A central committee of twelve was chosen, and was named "The Grand Council." It elected grand officers, and was to be in perpetual session at Washington, and to it the several State grand councils and all the traveling agents duly reported. Precisely how much personal interest in this movement was taken by the President of the United States, could only be gathered from stenographic reports of his frequent consultations with the

late Hon. J. M. Edmunds, Commissioner of the General Land Office and President of the Grand Council of the Union League. There were other men with whom Mr. Lincoln may have conversed upon the subject, for the Grand Council of twelve was largely made up of his immediate personal friends.

Severe as were the losses and reverses of the South up to the month of July, 1863, and admirable as had been the conduct of national affairs by the Lincoln Administration, under its measureless difficulties, the people of the North seemed to discern in the course of events little more than one continuous disaster, whereof they were paying the enormous cost in blood and money. Even the victories at Gettysburg and Vicksburg and Port Hudson, in that month, did but call forth enthusiasm for Meade and Grant and their armies. Among successful commanders, as well as among distinguished civilians, political prophets already began to search for a probable successor to the alleged presidential failure who must yet for a season linger in the White House. They were really doing Mr. Lincoln's candidacy no harm in this. Not knowing it, they were subjecting him to the tremendous ordeal of a daily and hourly comparison with all other men—man by man—with reference to his and their several fitnesses and capacities.

There was also this against him, momentarily, but sure at last to be counted in his favor, that much could be credited to others which of right belonged to him; that the faults and failures of many others could be charged upon him; that he stood up where no square inch of him could be hidden from his critics; while of the men with whom he was compared very little more than specimens of their best work could be obtained or presented for analysis.

There was to be a general or national "Grand Council" of the Union League in the course of the summer of 1863. It was to be held in the city of Washington, and was to consist of representative delegates from every corner of the country; but the outside world knew very little about it, either before or after its assembling. Very little indeed is known about it to this day, and yet it did a deal of preparatory work for the Republican National Convention of 1864. When the Grand Council of delegates came together it was a notable body of men. It was a Union League Congress, containing many of the Senators and representative members of the Constitutional Congress of the

United States. It also contained hot-headed and free-tongued representatives of every faction of the Republican party inimical to Mr. Lincoln.

Particularly bitter were the souls of the delegations from Kansas, Missouri, and Nebraska, as a result of the political and military complications of affairs in those communities. To them the President was imaged, and in their speeches they presented him, as a selfish and heartless tyrant, regardless of their interests, and governing them through ignorant and merciless military "satraps," whose conduct was a disgrace to the nation and a curse to a miserable, downtrodden multitude. A crowded hall listened, in secrecy and silence, to the eloquent and bitter indictment of the Administration in general and the President in particular. During all the earlier hours of the stormy meeting not a voice was raised in Mr Lincoln's defense, and the convention, or Grand Council, seemed to be swept away by the tide. This was more an appearance than a reality, for the tide was overdoing and exhausting itself by its own vehemence, and preparing for a turn. There was a good deal of "undertow" all the while At last the grand corresponding secretary took the stand. He was no orator, and he was too red-hot angry to speak well or "eloquently." He was able to show, however, and very conclusively, that the outlines and many details of Mr. Lincoln's action in the several States and localities covered by this part of the general indictment against him, had been particularly advised, counseled, and urged by the representative men of those States and localities, and notably by some of the very men who now, with closed doors, were abusing him for following their own advice. It was very simple indeed, but it was a somewhat stunning defense. It was met by no reply whatever, for there seemed to be none to make. The tide turned as if by magic. The Grand Council adopted, without further debate, but not by any means unanimously, a resolution cordially indorsing the Administration and the President. To this was added another resolution of great moment, for it embraced a clause providing that the next annual Grand Council of the Union League should be summoned to meet at the same time and place with the National Convention of the Republican party for the nomination of presidential candidates.

The Council adjourned, and, as its members drifted slowly out of the hall, United States Senator James H. Lane, of Kansas,

who had been a severe critic of Mr. Lincoln at the beginning of the evening's oratory, approached the corresponding secretary, and holding out his hand, remarked: "You've made at least one convert. I'll stand by Old Abe through thick and thin, after this." That he had been thoroughly converted proved to be of importance, about a year later.

The subsequent course of military and political affairs, at home and abroad, is beyond the scope of this paper; but the Union League grew and prospered until it became the civil "home guard" of the armies in the field. Many forces acted and reacted, both for and against a renomination of President Lincoln. His hold upon the Republican party, as such, had been even weakened by the fact that immediately upon his first election he had ceased to be a partisan, and had appointed to posts of honor and power Democrats and Republicans alike.

The full effect of the Emancipation Proclamation had not yet been obtained. His "reconstruction" policy had gained him more foes than friends. He was carrying the full burden of the Draft Act, the National Bank system, the increasing taxation, the national weariness, and the sore-hearted craving for the peace which seemed still so far away.

The names of several able and distinguished Republicans in military and civil life were openly brought forward in connection with the coming nomination. Among these was the name of General John C. Fremont, and at last a small, "independent" convention, held at Cleveland, Ohio, actually nominated him, upon a platform which set forth causes of dissatisfaction with Mr. Lincoln. The General accepted the nomination. Other elements of discontent within the party began to rally and take form around the eminently fit and suitable name of Hon. S. P. Chase, Secretary of the Treasury. Newspaper editors here and there swung out the name of General Grant, as a strictly "war candidate," and other available successors to Mr. Lincoln were freely and generally discussed. There were many "one-term" men, and many more uneasy souls, as usual, who favored a change for the sake of change. The prospect for a peaceable and sober-minded convention became small indeed, while any other sort would be a sure preparation for defeat at the November polls.

Mr. Lincoln did nothing at all to favor himself in the matter. The obnoxious draft of men for the army went on as usual. The unpopular features of his reconstruction policy were adhered

to with iron firmness. Not one man was appointed to or removed from office with any reference to the action of the Baltimore Convention. Nevertheless, it is not to be supposed for one moment that the President was indifferent to the question of a second term of office and of national approval or disapproval of his administration of public affairs. It is not to be imagined that he did not feel deeply, keenly, bitterly, the multiplied stabs and stings inflicted upon him. He could not willingly, no, not without a broken heart, have laid aside, half done, the mighty task which had been given him. He knew well, and often said, that its toil and trouble were killing him and its weight was crushing him. He was well assured, and more than once declared, that he must die under it; but his life was in it, and at last was taken from him with its ending. It is to his honor and not to his disparagement that he earnestly desired a second term; but he was above seeking the coveted result by any unworthy means.

The President could not have been unaware of the fact that the Grand Council of the Union League had been called to meet at Baltimore. He could not but have felt a deep and anxious interest in its character and action. His friends daily came to see him at the White House, and they very frankly told him of all discernible clouds and doubts that were shadowing the prospect. Among them, and only a few days before the sitting of the convention, came Senator "Jim" Lane, of Kansas. The conference with him was somewhat protracted, but there was no reporter present. Precisely what may have passed in that interview is mere matter of conjecture; but it is not possible that, at such a time, the most important event of the immediate future failed of attention and discussion.

The Republican National Convention was called to meet on the 8th day of June, 1864, in the city of Baltimore, and an enormous "wigwam" had been constructed for the accommodation of its expected throng of delegates and spectators. The National Grand Council of the Union League had been summoned to meet at Baltimore, on the evening of June 7, 1864, and a large hall had been provided for its assembling. It was to have no "audience," and therefore needed less room than was required by it in its other form as the "Convention." There were many members of each body who were not also members of the other, but at least two-thirds of the delegates to the

Grand Council were also delegates to the Convention. They constituted a clear majority of the latter body as to mere numbers, and vastly more than a majority as to personal character, weight, leadership, and control. The National Convention, therefore, actually met first in the hall of the Union League. The Grand Council assembled at an early hour, and its doors were sternly closed to all but those with absolute right to enter. The Grand Council was a dignifiedly simple gathering. There were no press-reporters present. No brass band made music. No time was wasted in preliminary or other organization, and no committees were required. The ample platform contained only three men,—the grand president and the grand recording and corresponding secretaries. There was all the more time for the transaction of business, and this began the moment that the meeting was called to order. There had been both preparation and consultation among the intending assailants of the Administration. They arose to speak, in rapid but not in conflicting succession, in different parts of the hall. Perhaps the severest attack upon the President and the conduct of the war was made by one of the then United States Senators from Missouri; but there were others whom he but little surpassed in vehemence. The charges made were appalling, and it was well that their eloquent utterance was to form no part of the published proceedings of the Baltimore Convention. Had they been openly uttered in the convention, to go forth to the country, whether they were true or false, that body could afterward have reached no peaceful agreement by ballot, nor could it have adopted any platform of resolutions upon which it could have placed Abraham Lincoln before the people as a candidate for the presidency. There were not many faults possible to a ruler of a free people whereof Mr. Lincoln was not accused, before the excited patriots made an end of their "speeches for the prosecution" of the public criminal whose course in office they were denouncing.

Once more it seemed as if a rising tide were sweeping all before it. Not a voice had yet been raised in defense of Mr. Lincoln. This may have been, in part, for lack of opportunity. The grand president, Judge Edmunds, was a devoted friend of Mr. Lincoln, and yet, as if with malice aforethought, he sat there behind his desk on the raised platform, calmly "recognizing," as presiding officer of the Grand Council, only the known

enemies of his friend, until it seemed as if most of them must have been heard.

There came a lull in the storm, and "Jim" Lane of Kansas arose, near the front, in the middle aisle of the hall. He was instantly recognized by the chairman; but he stood in silence for a moment, until he had deliberately turned around and looked all over the room. The substance of his remarks was nearly as follows:

"Mr. President, Gentlemen of the Grand Council: For a man to produce pain in another man by pressing upon a wounded spot requires no great degree of strength, and he who presses is not entitled to any emotion of triumph at the agony expressed by the sufferer. Neither skill nor wisdom has been exercised in the barbaric process. For a man, an orator, to produce an effect upon sore and weary hearts, gangrened with many hurts, worn out with many sacrifices, sick with long delays, broken with bitter disappointments; so stirring them up, even to passion and to folly, demands no high degree of oratorical ability. It is an easy thing to do, as we have seen this evening. Almost anybody can do it.

"For a man to take such a crowd as this now is, so sore and sick at heart and now so stung and aroused to passionate folly; now so infused with a delusive hope for the future as well as with false and unjust thoughts concerning the past; for a man to address himself to such an assembly and turn the tide of its passion and its excitement in the opposite direction; that were a task worthy of the highest, greatest effort of human oratory. I am no orator at all, but to precisely that task have I now set myself, with absolute certainty of success. All that is needful is that the truth should be set forth plainly, now that the false has done its worst."

He had gained in a minute all that could be won by an audacity bordering upon arrogance. Rapid and vivid sketches followed, presenting in detail the leading features of the history of Mr. Lincoln's administration. Each was made complete in itself, and at the end of each chapter came some variation of this formula:

"I am speaking individually to each man here. Do you, sir, know, in this broad land, and can you name to me, one man whom you could or would trust, before God, that he would have done better in this matter than Abraham Lincoln has done, and to whom you would be more willing to intrust the unforeseen emergency or peril which is next to come? That unforeseen peril, that perplexing emergency, that step in the dark, is right before us, and we are here to decide by whom it shall be made for the nation. Name your other man!"

Very little time was wasted upon the general list of charges, for they had spent themselves in the making; but a masterly

picture of Mr. Lincoln's long-suffering, patience, faithful toil, utter unselfishness, and of the great advances already gained under his leadership, was followed by a sudden transfer of the thoughts of all to the scene in the great wigwam on the morrow.

"We shall come together to be watched, in breathless listening, by all this country,— by all the civilized world,— and if we shall seem to waver as to our set purpose, we destroy hope; and if we permit private feeling, as to-night, to break forth into discussion, we discuss defeat; and if we nominate any other man than Abraham Lincoln we nominate ruin! Gentlemen of the Grand Council of the Union League, I have done."

The Senator sat down, but no man arose to reply. His speech had not been a very long one, but it had been enough to accomplish all he had proposed for it. The resolution approving the Administration was adopted with but few dissenting voices, many not voting. Another vote declared the voice of the Union League to be in favor of President Lincoln's reëlection, and the greatest political peril then threatening the United States had disappeared. When the National Convention of the Republican party attained an organized condition on the next day, Abraham Lincoln was nominated for President on the first ballot. The twenty-two votes of Missouri were first given for General Grant, but were immediately changed to Mr. Lincoln, and the voice of the convention for him was declared to be unanimous. Thirty days later it would have been a hard task to find a man who would confess to having ever entertained a doubt as to that result; but then the delegates to the Grand Council were not in a position to make remarks or to answer questions.

W. O. STODDARD.

LITERARY RESURRECTIONISTS.

A VENERABLE poet and philanthropist, taking alarm at the inconsiderate way in which the relics of the distinguished dead are put into market overt, is reported to have burned all his friends' letters, and to have requested his friends to burn his own. Observing the freedom, we may say license, in which modern editors indulge, he might well take such precaution.

If the world concedes to an author fame, notoriety, or the more substantial reward of lucre, it requires a good deal of him in return. It may secure him copyright, but by way of set-off, it asserts a kind of personal property in himself. It perpetuates his physiognomy, and it makes merchandise of his autograph. It puts upon historic record his most private peculiarities — his diet and dress, the incidents of his childhood, the errors of his manhood, and the frailties of his old age. It demands with an omnivorous appetite not only his own story to the minutest particular, but that also of his friends, and is content with nothing less than his diary and the whole mass of his most confidential correspondence. It would inspect his accounts with his publisher; it would know all about his quarrels with his editors,— what articles they graciously accepted, and what they positively declined to print. So soon as he has gone to his account, the doors of his study are thrown open, that anybody may inspect his unfinished wares, see the tools which he used, decipher his most careless memoranda, guess at his tricks of style and his manner of beginning and ending, know of his failures and the abominable devices to which he resorted, and, carefully collecting from floor and waste-basket, from desk and cabinet, his literary litter, proceed to print it for the delectation of the curious, the satisfaction of the censorious, and the amusement of the idle. He may be sincerely regretted, but there is substantial consolation in the money to be made out of his

demise. There is to be the great biography authorized by the family, and the little biographies unauthorized by critical decency. The monthly magazines are hungry for fragments. The small writers, who have no fame of their own, hurry to furnish us with their estimate of what he could do, of what he could not do, and of what he did. Mr. Thackeray is dissected by Mr. Trollope. Mr. Longfellow becomes the prey of various book-makers who were never heard of before and will never be heard of again. Mr. Carlyle, for all the ill-natured things which he said of others, undergoes a special retribution, and is written about in a vulgar way, which if he were living would drive him mad, or possibly betray him into manslaughter. With astounding obtuseness the family of Mr. Dickens print his letters, with the result of showing him to have been fretful, vain, selfish, and unjust. Mr. Hawthorne is the victim of several family factions, each of which prints against the other whatever it can snatch from his manuscripts. Mr. Emerson is so bewritten that one hardly dares to think of the confusion with which so much and such scribbling, in his life-time, would have overwhelmed him.

The father of the modern school of English biography was undoubtedly Boswell. Before the "Life of Dr. Johnson," many admirable autobiographies were written; but this was, if we may say so, the first autobiography written by another hand. There are occasional books, like "Spence's Anecdotes," which remind us of Boswell; there were a few collections of correspondence like that of Swift, Pope, Gay, and Bolingbroke,—letters which were not really letters, written, as they were, for anybody to read, and with a constant thought of future publication, but rather essays in an epistolary form, with a perpetual effort at wit, and, in spite of so many protestations of friendship, somewhat hard and formal. But it was Boswell who found out the expedient of taking the roof from off the house, exhibiting the hero in undress and at slippered ease,— of painting the portrait with absolute and dangerous fidelity. It is a curious evidence of the immense authority of Dr. Johnson while living, that the moment the breath was out of his ponderous body all the scribblers in London began to write about him, to collect anecdotes concerning him, and to give the world their idea of his genius. Fortunately for Dr. Johnson, he had loved writing too little and he had published too promptly to leave behind him any half-finished and unsatisfactory work. The curiosity, therefore, which

preys upon the remains of genius was obliged to satisfy itself with a minute narrative of the great man's manners or want of manners, with stories of his dictatorial style of putting people down, with samples of his sesquipedalian speech, and with many other characteristics which, in a smaller person, would have been thought of no importance. There was only one way of writing such a man's life, and Boswell hit upon it with singular felicity. Yet he stands almost alone. Many men have tried his method, and many have failed in doing so. Boswell's work is valuable, particularly because Johnson himself was mainly a man of society. The question still arises how far it is worth while to pry too closely into the private lives of those whose writings have arrested attention or won admiration. Of very few men of genius can it be said that a minute knowledge of their lives is necessary for a satisfactory elucidation of their works. Of the greatest of them, we know already that they were human. The world is no stranger to their weaknesses, their irritability, their jealousies, their indolence, or possibly their sensuality and selfishness. Enough of these things comes down to us by tradition. Moreover, something is due to writers in return for the services which often, amidst many difficulties and through much discouragement, they have rendered to their fellow-creatures. Dr. Johnson put the whole matter succinctly when, upon the death of Goldsmith, he said: "Let not his frailties be remembered — he was a very great man!" Men of genius are at least entitled to those ordinary civilities which enlightened communities recognize, and without which the lives of all of us would be intolerable. They are quite as much deserving of the amenities, living or dead, as the meanest of mankind. By what right, after they are gone and incapable of defending themselves, are they to be exhibited for the public amusement, and usually for a pecuniary consideration? Why should the estimation in which they are held be thus inevitably lessened? Often this would be judging them as they were judged in the days of their early struggle and poverty, when the book-seller sneered at them over the counter, gave them in the back shop the fragments of an earlier dinner, and paid them wages with which a hind or a hod man would have been dissatisfied. We claim something for the dignity of letters. We have no fear that anything important will be lost by a decent reticence, or by covering up the dead Cæsar and remembering only how he crossed the Rubicon.

We might illustrate what we have said by many modern instances. The death of so distinguished a man as Mr. Carlyle naturally arrested the world's attention, and provoked an appetite for biographical gossip. No writer since Johnson's day had been so marked by personal peculiarities, or was so inevitably doomed to the post-mortem processes. While his eccentricities of character had to a certain extent been betrayed by the manner and method of his works, it is a fact which it is quite necessary to remember that the sentiment entertained toward him was substantially one of affection. He had for a generation, both in England and America, been regarded by men, and especially by young men, as a guide, philosopher, and friend. There was a sufficient suggestion of cynicism in his works, but in his disciples it reappeared in a cynicism tempered by philanthropy, anxious for a reform in human affairs, and hopeful of the future. Something of this better purpose, it was thought, should be conceded to the master, however bitterly he might laugh at human follies, or however hopeless he might confess himself to be of a change in the world for the better. For the truth of our suggestion we have only to refer to the eager hospitality with which his earlier works were received in America. Some of our readers, if not many, will remember how reverently he was regarded by earnest scholars here; how we thought him the bringer of a new evangel fifty years ago. We still think that in all this admiration of Mr. Carlyle there was no radical mistake. We hold him to have been, in spite of all disclosures, substantially the man he was then considered to be — the man who wrote the sweet and beautiful essay upon Burns, the fine criticism of Voltaire, and the vigorous philosophy of the "Characteristics." His nature indeed became strangely distorted. He lost to a great extent the power of self-control. Constant ill-health made him irritable and ill-mannered, and increased his natural love of fault-finding. He discarded, if he ever possessed, the charity without which there can be no fair critic of men or events or books. Yet many of his admirers, mindful of early admiration, continued to follow him through the singular affectations of style into which he drifted, and to forgive everything to apparent sincerity, unexampled literary industry, and that love of truth which ran nearly to the extreme of believing all men to be liars. We were loyal to him in America so long as it was possible to be loyal; and when at last we were compelled to doubt, and ultimately to dis-

sent and protest, it was with a feeling of regret, and with the sense of having lost a friend. As Americans, we heard what he said of our sore trials with wonder. At first, we were hurt and incredulous; but then, with the independence which he himself had helped to teach us, we had recourse to our own self-respect, resolved that we would be what the hour demanded that we should be, and remembered that we could be made greater or less through no mortal's judgment. We began to consider Mr. Carlyle by his own canons. We thought him to be grievously mistaken in much, and we still retained a kind of respect for his mistakes. Upon the whole, in spite of all which Mr. Froude has done to lessen that respect, and of these disclosures which came upon us so suddenly and so painfully, we are still inclined to a considerate and favorable judgment. If we have been put into the position of a *valet-de-chambre*,— and it is Mr. Froude's fault if we have,— we are obliged to admit that we still find our hero in the snarling, ill-tempered, and, we are compelled to say, the supremely selfish man betrayed by this most treacherous of editors. We feel more than ever that we must make large allowances for human infirmities, nor permit them to make us ignore the painstaking scholar, the patient (or even impatient) investigator, and the critic of human affairs, who if so often wrong was also so often right. We feel that in the hands of this extraordinary executor he has not really had fair play— that advantage has been taken of his intellectual and physical infirmities. We are rather ashamed of the confidences to which we have been admitted. There is an under-bred air, as of the newspapers, about the whole business. We do not care to know about these housekeeping details, and are sorry to have had them thrust upon us. We say to ourselves, Who could bear the test? Who could come unharmed out of this ordeal of nakedness? Who would not loudly, and even *vi et armis*, protest against being subjected to it?

So much of this as may be attributed to Mr. Carlyle's own will and direction must go to the general estimate of his character which has been provoked. The autobiography is unquestionably his, and a melancholy piece of work, especially in his treatment of his contemporaries, we must consider it to be. And yet it gives us nothing new— nothing which we might not long ago have suspected. The admirers of Charles Lamb are, we think, justly, at least naturally, indignant at the contemptuous,

perhaps cruel, way in which Mr. Carlyle speaks of him; and yet that is just the way in which he would have spoken of him, if at all, in any essay or review, while living. Much the same is true of his gossip about Leigh Hunt. We are not surprised by any literary verdicts which we may find in these pages —nor, in fact, at anything of a general and public nature. What, we admit, does surprise and shock us is the light thrown upon Mr. Carlyle's domestic relations. Here he is altogether what we should not have supposed him to be. It might have been a great error of judgment, but we should have set him down as very different, as genial and unselfish in his own home, whatever he was in the world outside. He turns out, alas! to have been exactly the opposite—unreasonable to a degree; one with whom it were impossible to live in any comfort; mindful mainly of his own ease and convenience; shamefully disregardful of the feelings of a wife ready for any sacrifice; childishly ill-tempered about trifles; thinking only of himself. These are vices of character, vices alike in great men as in little ones, but especially vicious in one who was always rebuking the world for its selfishness and injustice, and perpetually finding fault with every form of self-indulgence. If we do not pardon readily such faults in little men, fatal as they are to social happiness, why should we pardon them in great ones? Are they venial in a writer of books living privately in Chelsea, but capital in a gin-sodden denizen of St. Giles, making his home a hell and his wife the most wretched of mortals? We are conscious of having used a strong and somewhat coarse illustration; if the reader is shocked at it, he is at liberty to modify it to suit his own peculiar taste; but after all, it is impossible to peruse these revelations of Mr. Carlyle's domestic life without a mixture of melancholy and indignation. An attempt has been made to extenuate Mr. Carlyle's irritability by pleading a like irritability on the part of his wife. Hardly beset we must admit this unfortunate woman to have been; but a careful perusal of the whole story, which Mr. Froude's want of literary delicacy has permitted, has satisfied us that Jane Carlyle, proud, jealous, and quick-tempered as she must have been, was a devoted wife, anxious for nothing so much as for the comfort of her husband, and always willing to spend and be spent, if so she might help him in his work. She was as great an invalid as he; she fell almost as easily as he did into fits of splenetic hypochondria; she had

a habit, as we gather from the letters, of daily dosing, little less than suicidal; yet weak, suffering, depressed, it was upon her shoulders that the weight of domestic drudgery rested, while her lord and master, usually impossible to please, and grim even in his rare expressions of approbation, snarled at trifles, sought peace in perpetual isolation, grumbled at his food, was constantly and childishly critical, ungentlemanly in his habits and manners, and about as easy to live with as a lunatic. There is nothing remarkable about this, except that these were remarkable people—the same thing frequently occurs in the most commonplace of homes. Those who love each other often do the worst they can to render each other miserable; but they do not put their miseries into books, nor parade them for the pity and amusement of mankind. Did no thought occur to Mr. Carlyle while annotating his wife's letters, of the old proverb which he was fond of using, about "washing dirty linen at home"? There is in the "Reminiscences" a somewhat sharp account of the squalor and shiftlessness of Leigh Hunt's domestic economy; but we venture to say that in the home of that clever man, often as it was in sore straits for the necessaries of life, there was a philosophical cheerfulness to which the other home in Chelsea to the secrets of which we have been admitted, was a stranger. It may have argued weakness in Mr. Hunt's nature that he was always sweet-tempered, cheerful, and hopeful; but if so, it was a weakness which the world has agreed to call by a much more respectable name; while the scornful passages in the same book, concerning Charles Lamb, tempt us to a similar comparison.

But it may be asked whether, after all, the world was not entitled to the use of these materials, in forming its estimate of Mr. Carlyle's character. We answer in the affirmative, if anything has been gained by them. Apart from that which we were not entitled to know, do they tell us anything which we did not know before? Do they help us in the study of Mr. Carlyle's books? On the contrary, we think that they have hurt much more than they have helped. As we now read the "Cromwell" or the "Frederick," we shall be in constant danger of underrating the philosophy, the good judgment, the real historic insight and honest purpose of the author. In the study of such researches the ordinary reader is compelled to rely upon the fairness of the historian, and to depend upon his view of the comparative importance of details. These books might have

been safely left to themselves. The character of Mr. Carlyle, developed by Mr. Froude, unjustly it may be, will taint their reputation, as the skepticism of Gibbon, perhaps with equal injustice, taints his immortal history. We shall suspect the absence of the judicial mind, and all the more because it will always be evident that the author has put much of his personality into his book; if we are compelled to doubt the health of his conscience, and to recognize his bitter prejudices, how shall we accept without scruple his biographical verdicts?

As a further, though minor illustration, we may refer to the injury which the publication of Mr. Dickens's letters has done to his literary reputation. The world was quite willing to accept him as an amiable man in private life,—as generous, chivalrous, and even tender-hearted. The world finds him to have been selfish, ill-tempered, a lover of his own ease and his own way, and very little regardful of the ease of others. There may be those who hereafter will read of Little Nell and of Paul Dombey with the old lachrymose effusion; but something of the criticism to which Sterne and the Dead Ass have been treated is inevitable,—something, we may add, of the doubt with which we peruse the tearful tragedies of Kotzebue. We shall remember the letters, and we shall have our suspicions. We ask ourselves if nothing is to be left to us of the old and enthusiastic admiration,—if we are no more thoroughly to enjoy a book, because we have been told too much of its author—too much of the domestic infelicities of Milton, of the coarse sensualities of Byron, of the canny worldliness of Walter Scott, of the inebriety of Burns, of Lamb, and of Campbell? Very few writers, and those only of a peculiarly felicitous constitution, can bear the ordeal. There is always danger that the man may kill the book.

But, apart from these considerations, there is a question of simple justice to the dead. Those who administer upon an author's literary effects exhibit a coarse nature, which proves their unfitness for the task, if, in their eagerness for profitable book-making, they surrender themselves to mere book-sellers' instincts and the monetary materialism of the shop. Does it never occur to them to ask how the man of genius, dead and gone, would, if living, regard this rummaging of his cabinet, this surrender to the world of his most private and sacred correspondence, this disregard of his own critical judgment? How, for instance, would Hawthorne, a man of the most exquisite

sensibility, and of so shrinking and retiring a nature that it really seems a wonder that he ever published at all,— how would he have relished all these liberties which have been taken with his name and fame? Not a book of his, it is safe to say, which has been published since his death, would have been printed by himself. Nine volumes, out of the twenty-four of the collected edition, have thus been given to the world. Some of the details of this unhallowed business may not be without moral value, and may serve as a warning to the professors of literature, that they set their desks in order and keep them so. For the benefit, likewise, of future bibliographers, we give a list of these posthumous publications:

"Septimius Felton," first published in a magazine, and afterward in a volume. Hawthorne had not finished it.

"Chapters from the Dolliver Romance," published in a magazine. Hawthorne wrote only one or two chapters.

"English Note Books," part of them printed in a magazine, and all in book form.

"American Note Books," in a volume.

"French and Italian Note Books," first printed in a London periodical, then in book form in the United States.

"Study of Hawthorne." It is to be noted that Mr. Hawthorne desired that no biography should be published. This is substantially "A Life."

"Glimpses into Hawthorne's Workshop." These are entirely private notes of Hawthorne on the form and character which the contemplated work should take.

"Dr. Grimshaw's Secret." Published in book form. Not a complete story, and bearing many marks of its incompleteness. The story, in fact, along with "Septimius Felton," "The Dolliver Romance," and "The Ancestral Footstep," starts from the "Legend of the Bloody Footstep" as its central point. Each of them proves Mr. Hawthorne's failure to write the story to his own satisfaction.

We leave it to those who have studied Mr. Hawthorne's genius with loving admiration to determine how much of this mass of miscellaneous matter he would himself have printed. We see little room for conjecture. Nor can we rid ourselves of the conviction that, if he could have foreseen this eagerness to put the very sweepings of his study into print, he would have taken effectual measures to prevent it. Did his representatives care nothing for what might have been his own wishes? His literary reputation may not have suffered — his was a genius too admirable for that; time, too, will set the matter right with the next generation; but what will the next generation say of

us who gratified our curiosity at his expense, who tempted his own children into this conspiracy against his fame, and whose love of literary amusement made this injustice to the dead possible?

He is not the only sufferer, nor do we see any limit to this exhibition of the dead for hire, unless there should be a great change in public morals and public taste. The time may come when there will be less reading for diversion, and a purer literary sense of what is due to the memory of the author — when it will be thought disreputable for compilers and book-sellers to improve the opportunity which death alone has afforded them of thus meddling with "remains." We trust, also, that the time will come when the public will be left to make up its own judgment of distinguished writers without any help from the manufacturers of small biographic essays which undertake to tell them what and how they should admire. We are rather weary of little books about great people. The world appreciated the merits of Carlyle and Macaulay, of Dickens and Thackeray, of Hawthorne and Longfellow, before these gentlemen of the quill volunteered to guide its taste and to give it their opinion; and it is greatly to be hoped that the fashion of writing about writers has been carried nearly to a point beyond which it will cease to exist.

CHARLES T. CONGDON.

HOW TO IMPROVE THE MISSISSIPPI.

THE building of the jetties has transformed New Orleans into a great sea-port. Seven lines of steamers are now employed in her foreign trade. For the year ending June 30, 1883, she was next to New York in value of exports, and ranked third in total foreign commerce; the amount of the latter being $104,704,076. Toward this gate-way of the outer world the Mississippi, with its two thousand miles of main river and ten thousand miles of navigable tributaries, is the natural internal highway. The five feet low water channel over its bars, which, like the canals of a generation ago, sufficed to meet the wants of commerce in years past, is wholly inadequate for present needs, much more for those of the near future. Recognizing these facts, the United States Government has undertaken to deepen and improve the channel of the Mississippi River. For the accomplishment of that end a plan has been adopted, and is now in course of execution. The salient points of that plan may be stated as follows:

To utilize the scouring power of the river for the purpose of cutting away the bars that obstruct navigation; to apply the energy of the river to this work by narrowing the channel over the bars, and thus concentrating its current upon them, obstructing bars being uniformly coincident with excessive width in the present river-bed; to prevent the re-formation of bars by protecting the caving banks above them, from which most of their constituent material is taken; to preserve the energy of the river, unimpaired by outlets or subdivisions of its volume. In a former number of the REVIEW (March, 1882,) were presented some considerations in support of the theory of concentration as opposed to that of diffusion by outlets as a means of improving the channel of the river. These need not be repeated here.

Assuming it to be sufficiently established for the present purpose that it is necessary for the preservation, and much more for an increase, of the river's present low water depth that at all ordinary stages it shall flow in one undivided channel of as uniform width as is practicable, there remains this further and important question, viz.: Is it also in accordance with sound principles of engineering, and will it be in like manner conducive to the improvement of the river, to confine its flood volume within the same channel by artificial additions to its natural banks?

In the study of this, as of all other questions relating to the Mississippi, the river itself is the best teacher. It is, and must always remain, a self-made river. If we can discover the means by which its channel has been made as good as it is, we shall have the surest indication of the means by which it may be made better. It is an obvious proposition that these means are all comprised in scour at the bottom and bank building at the sides. It is also obvious that some extent of bank building must precede any considerable excavation by scour. A thin, unconfined sheet of water has little or no scouring power. Bank building takes place by the deposit of sediment in time of overflow, each flood adding its contribution to the preëxisting bank. It is impossible, however, for water to carry a deposit of sediment quite to the elevation of its own surface. So that a flood of given height cannot build banks high enough to confine a succeeding flood of equal or greater height; but it may carry them high enough to confine succeeding floods of less height. As matter of fact, while the Mississippi River is constantly fluctuating in its stage, comparatively few of the rises which occur in a year, and rarely more than one, go over the natural bank. For the most part, the stream flows, rises, and falls between banks built for it by past floods. These, we will assume, the river has carried to the full height of its unaided arm's length. It is proposed now to make an artificial addition to them in the form of levees. This will do for the greater floods exactly what the greater floods have already done for the lesser,—confine them within a defined channel. Such an addition to the natural bank is plainly a mere continuation of the very process of channel construction by which the present river bed has been made. It is but the finishing of the river's own unfinished work. And if it be a fact that the present magnifi-

cent channel, scarcely second to any in the world for navigation, has been created solely by the energy of the water flowing in it, will not an increase of that energy by increase of volume and depth necessarily increase the river's capacity for work, and so result in a deeper and better channel?

There is no doubt that the ability of the Mississippi River to maintain its normal bank height has been greatly diminished by artificial causes. Before the advent of civilized man in its upper valley, every forest, swamp, and grass-covered prairie helped to hold back the rainfall. The effect of clearing, draining, and cultivation has been to send the surplus water of that vast region into the lower river in sudden, short-lived, enormous floods. Furthermore, in a state of nature, the banks of the lower river were everywhere covered with a dense mass of vegetation, which formed a perfect filter for separating the sediment from the overflowing water, and also furnished great protection against caving. Now they are occupied in large part by cleared fields, over which the flood water passes with comparatively little loss of sediment, and which wash into the river easily and rapidly. So that it may be said with truth that the artificial addition of a few feet to the present natural bank is scarcely more than the river itself would accomplish by natural agencies but for the interference of man. There is evidence that the Mississippi had once a narrower channel and higher banks than at present. As a rule, the ancient crescent-shaped lakes in the valley, which, it is certain, were formerly part of the river bed, have banks higher than those of the present river, with intervening width considerably less.

There is another consideration of different, but not less important, character. The fluid which fills the channel of the Mississippi is not, as we are apt to assume, water merely, but a mixture of water and soil,—a fact which cannot be left out of sight for a moment in studying the phenomena of the river. From this flowing mixture, the soil tends constantly to separate. Every diminution of its velocity results in a deposit of solid matter at the bottom. Unrestrained overflow tends to produce diminished and irregular velocity in the main channel, and so to fill it up with sediment.

The grand alluvial basin of the lower Mississippi lies in four natural subdivisions, known respectively as the St. Francis, the Yazoo, the Tensas, and the Atchafalaya basins or fronts. The

general surface elevation of each of these basins is lower than that of the immediate banks of the river. The water which escapes across the upper portion of the St. Francis front during an overflowing flood, fills up that basin and flows downward through it until it meets the high lands which touch the river at Helena, where it is forced back into the river. In like manner, the water which escapes across the Yazoo front is forced into the river again by the bluffs at Vicksburg. There result, in consequence, first, a division of the river's volume at the head of each basin, by which its velocity and energy are diminished; and second, an enormous accumulation of water at the foot of each basin, by which its flood level is raised to an abnormal height.

The great floods of 1882 and 1883 presented in this respect a remarkable contrast. That of '82 had free access into the Yazoo basin through numerous gaps in the levees. Prior to the flood of '83, these were repaired so far as to exclude the latter flood almost entirely. During the flood of '82, the maximum stage at Cairo was 51.87 ft. above low water; at Memphis, 35.15; at Vicksburg, 48.75. During the flood of '83, the maximum at Cairo was 51.90; at Memphis, 35.11; at Vicksburg, 43.80. Thus, while the two floods reached almost exactly the same height at Cairo and Memphis, the second fell off 4.95 feet at Vicksburg. The difference is very significant. A reduction of five feet in Mississippi flood level means a great deal. At the maximum stage of '82, the river was thirty miles wide at Vicksburg; at that of '83, it was almost within its banks. The former flood exhibits the action of a slowly moving lake; the latter that of a running river. One flowed steadily toward the sea; the other loitered about over eight thousand square miles of land. After passing Vicksburg, the flood of '83 remained substantially within banks to the Red River. The season following was one of unusually low water. In the upper parts of the river, where the overflow had been greatest, many bars showed only six feet of depth, and some only five. But from Vicksburg down there was abundant and unusual depth throughout the season, no bars showing less than ten feet. The scouring force of this one partially confined flood seems to have produced a marked improvement through one hundred and sixty-eight miles of channel.

The unrestrained overflow of flood-water is also accompanied by constantly recurring local variations of velocity and direction in the main channel. Some parts of the bank are lower than

others; some cleared smooth, others covered with timber; some furnish open pathways to capacious reservoirs or bayous, others do not. So that the quantity of water escaping from one part of the river may be very great; from another part, a few miles below, very little. These irregular discharges produce corresponding fluctuations in the velocity and direction of the current, and consequent retardation of flow and deposits of sediment.

An overflow through a series of crevasses located not far distant from each other is substantially like an overflow across the natural bank. The chief difference is that in the former case the sections of discharge are more sharply defined than in the latter, where there is likely to be a thin sheet running over a considerable portion of the entire front, with large discharges at bayous or depressions in the surface. During the flood of '82, a group of four crevasses occurred on the Yazoo front, within a space of eighty miles, the upper one being at Malone's Landing, sixty miles below Memphis, and the others at Riverton, Bolivar, and Mound Place, respectively. The river along this front had been carefully surveyed during the months of January and February of that year, and its depth and cross section at all those points, very shortly prior to the outflow, were accurately known. In October following,—the flood having occurred in the meantime,—a re-survey was made of the river opposite and several miles below each of these crevasses, for the purpose of ascertaining what change, if any, had been produced by them. The results showed a marked filling up of the bed in every case. At Malone's Landing, a small crevasse, the fill amounted to four per cent. of the entire channel space; at Riverton, to fourteen; at Bolivar, eleven; at Mound Place, twenty-four; being an average of thirteen per cent. These overflows, being circumscribed in extent and large in amount, produced correspondingly great shoalings of the water-way within like short spaces. If the same amount of overflow had been distributed over a longer bank front, it is probable that the resulting impairment of the channel would not have been so great at any one place, or so easy to ascertain and measure; but that the tendency and consequence of it would have been the same in kind, seems a very obvious inference.

During the years 1881 and 1882, systematic observations were conducted by the Government at several stations on the Mississippi, to determine its depth, cross section or vertical water area,

mean velocity, and discharge, besides some other matters not material here. In these observations may be found some striking illustrations of the tendency of an alluvial stream to obstruct its own path during overflow. At Clayton, Iowa, where general overflow begins at the fourteen feet stage, observations taken during the flood of October, 1881, showed that at that stage the velocity of the current, which up to that time had increased as the river rose, suddenly ceased to increase, and remained substantially unchanged until the rise reached its maximum of eighteen feet, seventeen days later. That is to say, the river rose four feet above its banks without any increase of velocity in its current.

Like observations taken at Grafton, Ill., during the flood of April and May of the same year, showed that as the river rose above its ordinary stage, the velocity of its current and the amount of water discharged increased in the usual accelerating ratio until the stage of general overflow was reached. At that point the velocity and discharge ceased to increase, and, during the last two feet of rise, both actually diminished. To be exact, on April 25th, the stage was 32.17 ft., cross section 67,545 sq. ft., mean velocity 4,594 ft. per sec., discharge 310,309 cu. ft. per sec.; while on May 6th the stage was 34.16, cross section 73,695, velocity 3,859, and discharge 284,405. That is, the river ran with nine inches per second less velocity, and discharged nearly twenty-six thousand cubic feet per second less water at its highest stage than when two feet lower.

At Hay's Landing, Miss., the gauge reading March 20, 1882, was 38.58, cross section 172,105, mean velocity 5.44, discharge 936,900. Ten days afterward, when the river had passed from general overflow to bank-full stage, the gauge reading was 34.14, cross section 167,396, mean velocity 6.26, discharge 1,049,000. That is, a fall of four and a half feet from the maximum, which brought the river within its banks, increased its velocity eight-tenths of a foot, and its discharge a hundred and twelve thousand cubic feet, per second.

In April, 1881, an unusual flood occurred in the Missouri. It originated above Sioux City, and was not augmented by any floods from its tributaries, below. For a distance of five hundred miles it covered the valley from bluff to bluff. There was nothing to retard its progress, except such obstruction as it created itself. Nevertheless, its velocity so slackened as it rose above

its banks, and its rise so increased as its velocity slackened, that it reached a height at St. Charles three feet above its relative height at Sioux City; whereas, the normal course of a flood is to diminish in height above the low-water plane as it flows downward. It was observed, also, that the amount of water discharged was less than that which the river was accustomed to discharge at a height seven feet below that of the flood, and within the banks.

It is to be remembered, of course, that in the production of such phenomena as these many forces may coöperate, and they should not be hastily ascribed to a single cause. But it is obvious that in each of these cases there was a choke of some kind in the river. There was no visible obstruction in any of them to create it. It was coincident with general overflow, and did not appear at any other stage. The inference from these circumstances alone, that it was in some way caused by the overflow, is by no means illogical. But there are better grounds for that conclusion than mere coincidence.

A stream of water loaded to its full carrying capacity with sediment, is exceedingly sensitive to change. The particles of sediment swim by means of their friction. Two particles that can barely swim separately will sink if brought into contact, because the contact reduces their aggregate frictional surface. In falling, they will carry down myriads of other particles that can barely swim. So that the least halt in the great procession of particles precipitates part of its constituent membership to the bottom. There they create an obstruction which prolongs the halt; the prolonged halt increases the obstruction, and so on, each condition reacting upon the other. The result is decreased velocity and increased rise in the stream. Just how slight a cause may start this train of causes, it is impossible to tell.

The Mississippi River at Cairo knows nothing of the Gulf of Mexico. It does not flow from love of motion, but in search of rest. Its condition of rest is levelness of surface. Confined in a narrow, descending channel, it can find no rest until it dies in the ocean. But when it overtops its banks there is comparative rest nearer at hand. It becomes a river flowing through a lake. Its buried channel no longer compels it to seek its level in one direction only. It may seek it in any direction, and over thousands of square miles of surface. Moreover, the multiplied curves of the buried channel often lead in direc-

tions inconsistent with the general slope of the valley. And so, when the valley is turned into a lake, the slope of the lake surface will sometimes harmonize with, and sometimes contradict, the slope which the river had when within its banks. Amid these complicated conditions, the water pursues its unvarying purpose to seek its level on all sides, and so flows in whatever direction, and with whatever speed, tend most to that end. These considerations alone will go far to account for the piling up of a flood by wide-spread overflow. Thicken the water with sediment, and such a result ceases to be surprising.

Levees have not been constructed heretofore for the purpose of channel improvement. But they have been in use from time immemorial, and in many parts of the world, for protection against overflow, and have in many instances produced an unintended deepening of the channel.

Red River, from Shreveport to its mouth, flows by a crooked channel through an alluvial basin like that of the Mississippi, and is a stream of like behavior with the main river. A few years before the war its levees were made complete and continuous on both sides for a distance of two hundred miles above Alexandria. Their effect in deepening the channel was so marked and immediate that in a few years such floods as had formerly overspread the valley for miles, found room for discharge within the banks, and rarely reached the levees at all. Elsewhere, the shallow channel remained and the river overflowed as before.

The Lafourche is a bayou heading in the Mississippi at Donaldsonville, seventy-seven miles above New Orleans, and flowing thence through the Atchafalaya basin to the Gulf. Its upper portion, for a distance of some sixty-five miles, has been leveed for sixty years. In its lower portion, overflow is unrestrained. Its upper portion has maintained its depth unimpaired. In its lower portion the deposit of sediment has so raised its bed and obstructed its discharge that it has become necessary to build the levees, at and near their lower termini, higher and higher in order to resist the floods, until they now extend twelve feet above their original height; while those above, where the stream has been kept within its channel, remain as they were fifty years ago.

Abroad, the Po, the Rhine, the Seine, and the Thames may be cited as examples of rivers whose channels have been inci-

dentally deepened by means of levees erected for protection against overflow. The bed of the Po in the neighborhood of Ponte Lagoscuro, where accurate data have been preserved, has been lowered one foot within the past century. The levees on the lower Thames were erected about 1767. By 1802 the channel depth between them had increased six feet.

The improvement to be expected from the maintenance of levees will be the result of an increase in the river's effective force as a whole. It will therefore be general in its character and gradual in development, and will not obviate the necessity of works placed in the channel to preserve its banks and cut down its bars. It is in connection with these, and as part of a complete and logical system of improvement, that they have their proper place.

An important distinction exists between the ordinary floods of an alluvial stream—that is, those which occur with a degree of regularity from year to year—and its extraordinary floods, which occur only at irregular intervals. The former are part of the river's normal life; the latter are not. In the work of channel formation, the ordinary flood is the determining force. It is that by which and to which the river shapes its bed as nearly as it can. Therefore, if we can control and utilize the whole force of the ordinary flood in the work of channel improvement, we shall secure the benefit of all the normal energy of the river. The exceptional and abnormal floods may be disregarded. It follows that levees intended for the sole purpose of improving the channel may be of much less height than those intended for protection against overflow. For the latter purpose, they should be able to restrain the greatest floods.

If any artificial additions to the banks of the Mississippi River are necessary to the improvement of its channel for purposes of navigation, it is the duty of the United States to provide them. That much is matter of national concern and national obligation. Protection against overflow is matter of domestic and individual concern, and therefore such levees as are necessary for that purpose should be provided by the communities interested. An ideal levee system would comprise two lines of embankment,—one of comparatively light character, following the river bank as closely as possible, and intended to restrain ordinary floods only; the other a master dike, standing farther back, high and strong enough to withstand all floods,

and following the general course of the river in long curves. But such a scheme is too vast for present consideration, to say nothing of the practical difficulty of its execution. And as long as one line of levee must stand at once for river improvement and land protection, the obvious suggestion of nature and justice is that the expense of it shall be divided between the States and the United States, according to its uses. To locate approximately the line dividing those uses is not beyond the possibilities of engineering. To devise measures by which a corresponding apportionment of burdens shall be made, and unity and effectiveness of control secured, ought not to be beyond the resources of patriotic statesmanship.

ROBERT S. TAYLOR.

THE CONSTITUTIONALITY OF REPUDIATION.

MR. CHAMBERLAIN.

WHEN judicial decisions affect great public questions or interests, criticism and discussion of them often become the duty of those who are qualified to perform it. If lawyers are presumably best qualified for this duty, it is certainly true that lawyers perform it at the greatest personal risk. If, however, such criticism and discussion be marked by exactness of statement, moderation of comment, fairness of argument, and perfect respect toward the court or judge, severity of judgment cannot justly give offense, and freedom of discussion may be of high service in informing public opinion, and even in the administration of the law.

In March, 1883, the Supreme Court of the United States decided two cases, which are commonly known as the Virginia and Louisiana State Bond Cases. The Virginia case, Antoni *vs.* Greenhow, was this: In 1871, an Act of the Virginia Legislature provided that new bonds of the State should be issued in exchange for two-thirds of the old bonds, bearing interest coupons which were declared by the Act and expressed on the face of the bonds and coupons, to be "receivable at and after maturity for all taxes, debts, dues, and demands due the State." The coupons were received for taxes until 1872, when an Act of the Legislature prohibited their receipt for taxes; but the Court of Appeals of Virginia, in Antoni *vs.* Wright, 22 Grattan, 833, set aside the latter Act as a violation of the contract, holding that "in issuing these bonds the State entered into a valid contract with all persons holding the coupons to receive them in payment of taxes and State dues, and that the Act of 1872, so far as it conflicted with this contract," was void. In 1880, in the case of Hartmann *vs.* Greenhow, 102 U. S., 672, the Supreme Court of the United States declared an Act of the Virginia Legislature, which laid a tax on these coupons and required the tax to be deducted

from the coupons when tendered for taxes, an impairment of this contract and void, holding that bonds issued under the Act of 1871 formed "a contract between the State and the holder of the bonds and the holder of the coupons, from which, without their consent, she could not be released." On the 14th day of January, 1882, the Virginia Legislature, a body under the control of what is known in politics as the Mahone party, passed an Act providing that when coupons were tendered for taxes, such coupons should be taken and held by the tax-collector, whereupon the taxpayer should be at liberty to bring suit to establish the genuineness and legality of the coupons; and if it should be finally decided that the coupons were genuine, then they should be received for taxes, and the money before paid refunded to the taxpayer. Antoni tendered coupons for taxes in March, 1882. The tender was refused, and Antoni applied for a *mandamus* to require its acceptance. The Virginia Court of Appeals being equally divided, the writ was denied, and the case was brought by writ of error to the Supreme Court of the United States.

The Louisiana case, Elliott *vs.* Jumel, was this: In 1874, an Act of the Louisiana Legislature provided for the issue of bonds to be known as "Consolidated bonds of the State," for consolidating and reducing the existing State debt. A levy of a tax of five and a half mills for the interest on these bonds was provided by this Act, which was declared to be "a continuing annual tax until the said consolidated bonds shall be paid or redeemed, principal and interest." Immediately after the passage of this Act, the State adopted an amendment to its Constitution, by which the issue of consolidated bonds under the Act of 1874 was declared to "create a valid contract between the State and every holder of said bonds, which the State shall by no means and in nowise impair." The amendment contained several other provisions intended to give all possible legal security to the bonds.

On January 1, 1881, a new Constitution of Louisiana went into effect, by which it was provided that the interest on the consolidated bonds, which had originally been fixed at seven per cent., should be two per cent. for five years, three per cent. for fifteen years, and four per cent. thereafter. This Constitution further provided that the annual tax, originally fixed at five and a half mills, should be not more than three mills; and that

the holders of consolidated bonds should present them to be indorsed or stamped with the provisions just cited in regard to the reduction of interest; and that all the interest on the consolidated bonds falling due January 1, 1880, should be absolutely remitted.

Elliott, with others, holders of "consolidated" bonds, after demanding payment of their coupons, brought suit in equity in the Circuit Court of the United States, seeking an adjudication that the Act of 1874 is "a valid and subsisting law"; that the constitutional amendment of 1874 and the consolidated bonds "are good, valid, subsisting, and binding contracts," "the obligation of which contracts cannot be lawfully or constitutionally impaired; that the Constitution of 1880 does impair this obligation, and is therefore in violation of the Constitution of the United States."

The same parties, in January, 1880, also filed in the State Court a petition for a writ of *mandamus* against the State Auditor and Treasurer and the State Board of Liquidation of Louisiana, requiring them to apply funds then in their hands, raised for that purpose, to the payment of the interest of the consolidated bonds; to levy the tax provided by the Act of 1874; and to perform all the ministerial acts required of them by the Act under which the bonds in question had been issued.

This latter suit was removed to the Circuit Court of the United States. The Circuit Court denied the relief sought in these suits, and, by a writ of error and appeal, they were brought into the Supreme Court of the United States, where they were considered and decided together.

In each of these cases the Supreme Court decided in favor of the State and of the validity of the State legislation in question. In each case the decision of the Court was rendered by a majority, seven out of nine, of the judges, and the opinion delivered by the Chief-Justice, four of the seven judges joining in a separate concurring opinion, in the Virginia case, and the two remaining judges dissenting in both cases. The judges who compose this majority are Waite, Miller, Bradley, Woods, Matthews, Gray, Blatchford; the judges who filed the separate concurring opinion are Bradley, Woods, Matthews, and Gray; the dissenting judges are Field and Harlan. Each case involved the question of the force and effect of the clause of Section 10 of Article 1 of the Constitution of the United States,—"No State shall pass a law impairing the obligation of contracts."

It is scarcely needful to state the scope and effect of these decisions; indeed, the simple correct statement of the cases discloses their character and bearing, even to the general or unprofessional reader. If ever a contract was made by a State, one was made by the States of Virginia and Louisiana in the issue of these bonds. The Supreme Court itself, every member of it, affirms that there was a contract, valid, express, complete, and solemn. In each case the State did pass a law, which in Virginia forbade the receipt of the coupons for taxes until after the performance of the most onerous conditions, and in Louisiana reduced the interest from seven per cent. to two, three, and four. Unless words have lost their meaning, unless logic and reason have lost their force, this is an impairment of a contract by a law of a State. It is to insult the intelligence of the country, the average capacity of its citizens, to say that only lawyers can understand this.

But it is right that the positions of the Court should be presented with entire fairness. And here it may be freely conceded that the Court had nothing to do with the hardship of the cases, the motives of the States, or the ulterior or secondary results of the decisions. It had only to consider and decide this one question in each case: Does the State legislation impair the obligation of the contract on legal grounds, and no other, in a legal sense, and no other? Its duty was to consider and decide what was the true force and meaning of the terms of the State legislation and of the constitutional clause. In doing this, the Court was bound to consider what had been its own decisions in previous cases involving this question. It was also bound to consider, irrespective of previous decisions, what was the true force of the constitutional provision as a matter of forensic or judicial reason. Having done this, it was the duty of the Court, without fear of consequences and without regard to other results, to decide the cases. The opinion of the Chief-Justice in the Virginia case is an effort to show that the Virginia statute is not an impairment of the contract because, although it changes the remedy, it does not change it in such a way or to such a degree as to work an essential injury or impairment of the contract.

Now, neither the Chief-Justice nor any intelligent man will deny that the contract made the coupons receivable for taxes; while the new law requires that all taxes shall be first paid in money, and then permits the taxpayer who has tendered coupons to begin a litigation which may be prolonged for years, and for

the prolongation of which express provision is made in the Act itself; nor, that if the coupon of a bond is once decided by the court of last resort to be genuine and valid, the tax-collector not only may, but must, force the holder of the same bond to repeat the entire litigation as often as a coupon matures; that is, in the case of a forty-year bond with semi-annual interest, *eighty times*. There is no exaggeration in this statement, astounding as it is. The Virginia Act, I repeat, compels the taxpayer to resort to a suit as often as a single coupon matures and is tendered for taxes. All this appears in the opinion of the Chief-Justice. I have no language to characterize such a conclusion from such premises.

I add another statement here: that all the decisions of the Supreme Court, numbering over seventy, upon the construction and application of the clause of the Constitution here in question, from 5 Wheaton to 96 U. S., not including the case of Sneed *vs.* Tennessee in the latter volume, make the present Virginia Act a perfectly clear case of impairment of contract by a State law. I challenge any man to try conclusions on this statement.

The Louisiana opinion is even more remarkable, because the contract there was sanctioned and hedged about by a constitutional amendment. I do not understand the majority of the Court here to deny the impairment of the contract, but to refuse the relief sought. In reaching this conclusion, the Chief-Justice uses these words: "The relief asked will require the officers against whom the process goes to act contrary to the positive order of the supreme political power of the State, whose creatures they are, and to which they are ultimately responsible in law for what they do."

What, then, common sense asks, becomes of the constitutional clause which forbids the "State," by its "law," to "impair the obligation of contracts"? Is not such a "law" a "positive order of the supreme political power of the State"? If it violates the obligation of a contract, is it not the solemn and unquestionable function of the Supreme Court to declare such "law," such "positive order of the supreme political power of the State," void and of no effect? I await an answer to this question which shall vindicate from the charge of the gravest error this utterance of the Chief-Justice.

To the same purport are these further expressions in the opinion: "The (State) officers owe a duty to the State alone."

"They can only act as the State directs them to act, and hold as the State allows them to hold." Then let the Chief-Justice, or any one for him, answer this syllogism: A State law which impairs the obligation of contracts is unconstitutional; an unconstitutional law is of no effect, and is as if it had never been. The Louisiana Act does impair the obligation of contracts, as the Chief-Justice admits, and as the learned counsel for the State freely and openly conceded on the argument. The Act is therefore void, and is legally non-existent. There is, therefore, no law of Louisiana, no "positive order of the supreme political power of the State," for the State officers to "act contrary to."

The separate concurring opinion in the Virginia case, as I have said, was filed by Judges Bradley, Woods, Matthews, and Gray. It was written by Judge Matthews. The opinion is very brief; but its brevity does not prevent it from embodying the largest amount of actual and potential judicial heresy to be found in any opinion of any Court of the United States. Its one merit is its intelligibility and boldness. Less surprise, if any, has probably been felt at finding Judge Matthews's name to this opinion than those of his associates. Surprise of no ordinary kind is felt, and will be felt, that Judge Gray has sanctioned such an opinion. This judge is the successor, in an important sense, of Judge Benjamin R. Curtis and Judge Nathan Clifford. No one familiar with the views of judicial duty of either of those judges, so often signalized in the decisions of this Court in such cases as the present, can fail to feel chagrin that this opinion bears the name of Judge Gray. Comment on the opinion itself is nearly superfluous. It flouts every former decision of the Supreme Court upon this topic, and announces a doctrine compared with which the dogma of State sovereignty and secession becomes sound and respectable. It holds expressly that "for a breach of its contract by a State no remedy is provided by the Constitution of the United States against the State itself"; and that "a suit to compel the officers of a State to do acts which constitute a performance of its contract by the State, is a suit against the State itself." There is an audacious novelty about the latter proposition that fairly stuns the mind. From the case of Osborn *vs.* U. S. Bank, 9 Wheaton, 738, in which the opinion was delivered in 1824 by Chief-Justice Marshall,—than which there has never been a judicial decision marked by more solemn and convincing evidences of authority,—through a

hitherto absolutely unbroken line of decisions, it has been established that "as a State itself cannot, according to the eleventh amendment to the Constitution, be made a party defendant to a suit, suit may be maintained against the officers and agents of the State who were intrusted with the execution of its laws."

In that case Marshall said: "If the person who is the real principal, the person who is the true source of the mischief, by whose power and for whose advantage it is done, be himself above the law, be exempt from judicial process, it would be subversive of the best established principles to say that the laws could not afford the same remedies against the agent employed in doing the wrong, which they would afford against him could his principal be joined in the suit."

Nearly fifty years later, in 1872, the Court in Davis *vs.* Gray, 16 Wall, 203, three of the present justices, Miller, Bradley, and Field, being then members of the court, expressly re-affirmed the decision of the case of Osborn *vs.* Bank, upon the present question.

In 1875, in the case of Board of Liquidation *vs.* McComb, 92 U. S., 531, the Court again,—four of the present justices, Waite, Miller, Field, and Bradley, being then members of the court,—without dissent, reiterated and applied these doctrines, citing specially the cases of Osborn *vs.* Bank and Davis *vs.* Gray.

Now, under these last decisions of the Court, and under the opinion of Judge Matthews,—which is merely a bold and express, as well as more logical, statement of what is fully implied in the Louisiana opinions of the Chief-Justice,—no force remains in the constitutional provision forbidding a State to impair the obligation of its contracts, because it is now held that a State may, if it chooses, after the most palpable and wanton breaches of its contracts, repeal or abolish all remedies for the enforcement of them, and thereby be restored to "the immunity from suit, which belongs to it as a political community"—an immunity which, under these decisions, extends to all the officers and agents of the State.

I do not think the revolutionary character of these decisions can be overstated. The history of the public debt question in Virginia and Louisiana, and the special provisions made by those States in regard to the present bonds, show a clear purpose and expectation on the part of the States themselves

to place them beyond further legislative control, and to make them proper subjects for judicial cognizance and enforcement, if occasion should arise. In this faith these many millions of bonds were accepted by their holders at home and abroad. It may be safely said that if, when these contracts were made, the question had been submitted to any lawyer of standing, whether in view of all the former decisions of the Supreme Court the obligation of these contracts could be protected and enforced in that Court, the answer would have been that the precedents and principles established by the Court left no shadow of doubt that all subsequent legislation impairing the obligation of these contracts would be unhesitatingly swept away, and that their performance would be enforced, so far at least as it rested in the ministerial acts of the State officers.

But the pecuniary interests of individuals, however great, are not to be compared with the public misfortune of decisions of our highest court, which, by disregarding a great constitutional provision, and by overthrowing a long line of great precedents, have removed all legal barriers to the specially odious and disgraceful offense of State repudiation.

Bare justice requires it to be added that the dissenting opinions of Judges Field and Harlan are all that could be desired in point of ability, vigor, learning, and judicial integrity of mind.

D. H. CHAMBERLAIN.

MR. WISE.

SEARCH for paradox is a very common employment of the intellect among writers and thinkers. The discovery, real or fancied, of paradox is a most common occasion for ventilating the views of the discoverer. And so it has come to pass of late that several writers, imagining that the decisions of the Supreme Court of the United States lately rendered in the Virginia and Louisiana debt cases are paradoxical, have labored at great length to show that a tribunal selected from the school of ultra Federal views, has in some sort reëstablished the very States Rights doctrines for the suppression of which the country had expended so much of blood and treasure.

There is no ground for the pretention that these decisions disturb any issue decided by our civil war, or revive any doctrine

of States Rights involved in that struggle. The cases arose and were decided under clauses of the Constitution which have existed from the time that instrument was adopted, or very soon thereafter, about which there never has been a political or judicial controversy of importance, and which have in no way been changed or affected by the constitutional amendments growing out of the war. When, in some distant period, the student of our history shall come to examine into the changes in our written Constitution resulting from the war, he will doubtless be astonished to see how few those changes are. The ignorant and the thoughtless are wont to look upon the triumph of Federal authority in the struggle of arms as having accomplished a complete overthrow of State sovereignty and established the supremacy of Federal power, so as in effect to make the States of the Union merely police municipalities, subordinate to the overpowering central Government; and yet no idea could be more utterly absurd, or more at variance with the governmental theories of the most ultra Federalists. The war was not waged for any such purpose, and accomplished no such results, nor has any trained statesman or lawyer ever so maintained.

It were idle to discuss what was done contrary to all theories of States Rights during the war. Much was done, doubtless; for war is a law unto itself, and men with arms in hand will no more observe written charts than they will go into battle with a musket in one hand and a Constitution in the other. But when the war had ended, when the administration of the affairs of government had been remitted to the control of civil authority, Federal and State, it at once became a vital question as to how far the great struggle had enlarged or altered the chart of Federal powers, how far it had curtailed or affected the supremacy of State authority, and in what respect, by changes in either, the rights and remedies of the citizen were altered.

The war itself undoubtedly effected many great changes which are not to be found in the Federal Constitution. Some of these are not even expressed in the new State Constitutions adopted under the reconstruction proceedings. For example, slavery was abolished without either Federal or State assent in Constitutions. Again, the doctrine that paramount allegiance was due to the Federal Government, that issue on which the North and South struggled so long and so fiercely, was not

established by any new clause inserted in the Federal Constitution, but has now become admitted on all hands by the force of the Federal power in war, in the first instance, and by its introduction into the Constitution of every State that resisted it. So we have seen grow up, as a consequence of Federal triumph in arms, theories of construction of Federal power, now unquestioned, which, prior to that struggle, were hotly and bitterly fought; such, for example, as Federal power over our banking system, Federal power over internal improvements, and many kindred questions. In the days of Andrew Jackson and John Tyler, the exercise of such powers was deemed inadmissible under the Constitution. At present, nobody questions the power of the Government or gainsays its right in the premises; and yet the written Constitution of the United States is the same now as then upon all the subjects referred to, unaffected in any way by the amendments adopted since the war.

Between the year 1794 and the year 1865 but one amendment to the Federal Constitution was adopted, and that amendment—the twelfth—only related to the method of electing the President, and need not be considered. In 1865 the thirteenth amendment was adopted, quickly followed by the fourteenth and fifteenth. When peace had been restored, when the smoke of battle had floated off, when civil government again fairly asserted its sway, it became at once important, in the light of the war, of the amendments above named, of the complete subjugation of the States and changes in their Constitutions, to know what were the new relations between the Federal and State Governments. It was difficult for the ignorant soldier of the Union to understand how the triumph and supremacy of that Government whose victories he had helped to win were less than absolute; and the fallen champion of secession, powerless to resist and completely at the mercy of his conqueror, felt that his loss of all he had struggled for could not be less than total, whatever might be his hope. But it was not the ignorant alone who were confused and uncertain as to Federal and State relations; the true solution of the problem vexed the most sagacious statesmen and the most skillful lawyers of America.

Of course, the questions growing out of these changes arose speedily for decision, and the country awaited anxiously the action of the Supreme Court. That great tribunal spoke fully and clearly when it reached the celebrated Slaughter House cases,

in April, 1873, 16 Wallace, p. 36. No cases ever decided involved more to the people of America. The opinion rendered clearly and indisputably settled what change in our written Constitution had been effected by all the war amendments, and defined the new duties, powers, and responsibilities of the Federal Government. The intent, character, and scope of each amendment was explained. It was decided that the sole purpose of the thirteenth amendment was to recognize in the Constitution a fact already accomplished, viz., the abolition of slavery; that the object and scope of the fourteenth amendment was to further protect the emancipated slaves from hostile State legislation; and that the object of the fifteenth amendment was to make them voters.

In the argument of the Slaughter House cases, a construction of these amendments had been urged which, had it been adopted, would have totally altered the relations between Federal and State power theretofore existing. The Supreme Court, pointing to the language of the amendments and referring to the history of their adoption, rejected the construction sought, and disposed of it by saying its effect would be "to fetter and degrade the State Governments by subjecting them to the control of Congress in the exercise of powers, heretofore universally conceded to them, of the most ordinary and fundamental legislation," and "in fact it radically changes the whole theory of the relations of the States and Federal Government to each other, and of both these Governments to the people." After the rendition of this opinion, doubt, uncertainty, and confusion disappeared; the Governments, Federal and State, adapted their administration and legislation to the Constitution and its amendments as they were construed and expounded by our highest tribunal, and it was not until lately that the enlarged construction of the thirteenth, fourteenth, and fifteenth amendments, then, in the Slaughter House cases, rejected, was sought to be revived.

So much, then, for the amendments. If the decision in the Slaughter House cases means anything, the amendments have nothing in them which increases Federal jurisdiction against the States on the line of the Louisiana and Virginia cases, and I confess I do not understand the allusions now and then made to them as containing something out of which Federal jurisdiction to sue States can be contrived. Therefore, I dismiss them

as not involved in the questions touching the Louisiana and Virginia debt cases.

In these two cases the effort was made, by proceedings in Federal courts, to compel the States of Louisiana and Virginia to pay their debts in a way different from what they proposed; or, let us make the issue plainer by admitting, for the sake of argument, that the real effort made was to prevent these States from repudiating. In the discussions of these cases, both in and out of court, a great deal has been said of the morality or immorality of the transactions involved. I submit that if, as I expect to show, the Federal courts had nothing to do with the matter for lack of jurisdiction, all the discussion of morality or immorality, repudiation etc., was idle. Another favorite argument of the minority, in court and out of court, has been that a palpable impairment of contract had occurred, and it was a shame that it was not corrected. I submit that palpable outrage cannot confer jurisdiction, and that wrongs are committed every day upon citizens of the United States under the eyes of her judiciary which they cannot redress for lack of jurisdiction,—wrongs more palpable and violent than any deprivation of property, extending sometimes to deprivation of life, and yet, however indignant the judiciary may be, they are powerless to redress them for lack of jurisdiction. And so I say the moral question involved, the hardship involved, the equities involved are all in these cases beyond consideration, for the barrier of jurisdiction intervenes, or should intervene, and is insuperable before they are reached. Let us see.

In 1787 the Federal Constitution was adopted. It contained a clause which was then, and is now, the only ground on which Federal jurisdiction to maintain these suits is or can be invoked, viz: Art. 1, Sec. 10. "No State shall . . . pass any . . . law impairing the obligation of contracts." Standing thus, a State might have been, and actually was, sued. The decision in Chisholm *vs.* Georgia, 2 Dallas, 419, was to the effect that under the Constitution a State could be sued. But "under a prevailing sense of danger at that time from Federal power," 16 Wallace, p. 82, the eleventh amendment was adopted almost immediately, and went into effect in less than seven years after the adoption of the Constitution. That amendment reads: "The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted

against one of the United States by citizens of another State, or by citizens or subjects of any foreign State." Surely, nothing could be plainer than this language.

"The Judicial Power" is defined by Burrill as the power to hear and determine controversies between litigants, upon proper cases of law and fact presented for adjudication. The language, "Judicial Power," was used to cover all branches of Federal judicial jurisdiction, for it is used in Article III. to embrace the Supreme Court and all inferior tribunals. The amendment expresses the full scope of that coördinate branch of the Federal Government, and then says it shall not be construed to extend to any suit, etc. Does not this language, standing thus alone and unexplained, show that it was the purpose of the States in adopting the amendment not only to turn this branch of Federal power away from such suits, but to wither it and kill it outright whenever it reached the forbidden ground? It does not say that the power exists and must not be exercised. It says it shall not exist. However it may be with the legislative or executive power, the judicial power, in whole or in part, does not extend to any such subject.

Now, observe this also. This amendment was adopted after the adoption of Art. I, Section 10; yet it is absolute and unqualified. The language, "No State shall pass any law impairing the obligation of contracts," is not coupled with any condition, expressed or implied, that the "Judicial Power" shall be invoked to redress any violation of the law. Nor is the eleventh amendment qualified. It does not say "The Judicial Power, etc., shall not extend to any suit, etc., unless in cases where a State has passed a law impairing the obligation of contracts." On the contrary, the inhibition is broad and absolute, destroying all jurisdiction of the judiciary in suits against the State by the parties named, whether for laws impairing contracts or anything else, and it was enacted after and with full knowledge of the Tenth Section of Article I. We not only have this amendment, which in language is plain, and in date subsequent to the contract clause, but we also have the best authority as to the reasons for its adoption. They are homely, but intelligible.

Says Chief-Justice Marshall, in Cohens *vs.* Virginia, 6 Wheaton, 406:

"It is part of our history that at the adoption of the Constitution all the States were greatly indebted, and the apprehension that these debts might be prosecuted in the Federal courts, formed a very serious objection

to that instrument. Suits were instituted, and the Court maintained its jurisdiction. The alarm was general, and to quiet the apprehensions that were so extensively entertained, this amendment was proposed in Congress and adopted by the State Legislatures."

Thus we know not only when and how, but why this amendment was adopted, and it has seldom happened that the reasons for the adoption of a law have revived after the lapse of a century, in identical form, as in this case; for the States are now as deeply in debt and as much alarmed as when it was adopted.

It seems to me that with this history of the amendment, this language and these reasons for its adoption before him, a Federal judge who attempts, either directly or indirectly, to implead a State, abandons all consideration of the limits of his jurisdiction, utterly disregards the reason and spirit of the law defining the domain of Federal judicial power, and chases butterflies of sentiment entirely outside his sphere. The mere fact that wrong has been done by one and suffered by another is no ground of Federal jurisdiction; and if Federal jurisdiction does not exist, the Federal Court is as powerless to redress a great wrong as a small one. The palpable object, reason, and spirit of the eleventh amendment was to deny to the judicial power of the United States any vitality whatever in the domain discussed. The effort, in spite of its plain language and the well-known reasons for its adoption, to still invade that domain by indirect methods is not only beneath the dignity of the Federal judiciary, but if pursued will inevitably bring it into ridicule when it reaches a point where it can neither advance nor recede.

When the Supreme Court decided the case of the Memphis and Charleston Railroad *vs.* the State of Tennessee, at the October term, 1879, it struck the true key-note of all this controversy. Said Chief-Justice Waite: "The remedy, which is protected by the contract clause of the Constitution, is something more than the privilege of having a claim adjudicated. Mere judicial inquiry into the rights of parties is not enough. There must be the power to enforce the results of such inquiry before there can be said to be a remedy which the Constitution deems part of a contract. Inquiry is one thing; remedy another. Adjudication is of no value as a remedy unless enforcement follows. It is of no practical importance that a right has been established, if the right is no more available afterward than before."

It is strenuously argued that although the jurisdiction cannot be exercised against a State sued as such, it may still be exercised by suing the officers, and many cases are cited. In some of these cases the Federal hawk has certainly swooped very close to the State dove-cote, and dragged its prey from the very door of safety. But that fact does not prove that the decisions were right, and in most of the cases the exercise of jurisdiction was justified under the general power of equity, where title in a specific thing and danger of irreparable damage from its loss is asserted, to pursue it and reclaim it in specie, allowing any other claimant to interplead and assert title to it.* Especially was this doctrine that officers might be sued, although the State could not be sued, asserted in the Louisiana case. It seems to me that this method of acquiring substantial jurisdiction where it is technically and essentially forbidden, is not only an evasion unworthy of the judiciary, but contrary to every rule of practice and precedent of the tribunals themselves.

I might enumerate many rules of practice applying to ordinary litigation, every one of which must be ignored, forgotten, overlooked, in order to maintain this idea of wriggling sideways into jurisdiction where none exists, by suing agents when they are known to be mere representatives of a principal who confessedly cannot be sued. What would be said of a lawyer who, having a client in controversy with a bank or railroad, brought no suit against either bank or railroad, yet sought mandamus against its employés, from president down to teller or brakesman, to compel them to disobey their principals and do what he wished? A chancellor would laugh him out of court. Yet judges and lawyers are to-day found seriously maintaining that this very thing may be done against a State which adds to the ordinary corporate functions the attributes of sovereignty, and is declared exempt from all interference by "the Judicial Power." What means this guarantee to the States of exemption from the judicial power, if it can thus be avoided and evaded?

* Since this article was written, the Supreme Court has decided the case of Cunningham *vs.* The Railroad Co. *et al.*, in which it has so fully indorsed these views that I may be pardoned a little vanity in alluding to it. Here may be found a full citation of the cases which I forbore from referring to, and an admission that "the Federal hawk had swooped too close to the State dove-cote" in the past. I refer the lawyer and student to that decision as the true exposition of Federal law on this subject.

"The State" is not a tangible entity, on which process could be served in any event. Its sovereignty is only manifested through these very public servants who, according to the contention of the opposite side, can be sued. If jurisdiction to sue the State existed, how would she be reached by process? Manifestly, by service upon her officers, who are the visible and tangible exponents of her invisible and intangible sovereignty. If judgment were rendered, how would it be executed? Manifestly, by mandates to these same officers; for the State has no ogres or genii or spirits to work her will. Therefore, if she could be sued, exactly the same thing would occur as may happen when she cannot be sued, according to our opponents, and the eleventh amendment of the Federal Constitution is a "something—nothing," only securing to the State the barren privilege of not being named specifically in the writ. Does any sensible man believe that this was the object of the States in insisting upon this eleventh amendment?

But suppose the Supreme Court had adopted the contention of the appellants in the Louisiana case, for example, and proceeded to order the State officers to do thus and so. To grant the prayer of the bill it was necessary to order the State Auditor and Treasurer to deal with funds in the State treasury, and levy and collect taxes contrary to acts of the Legislature. The State judiciary would not have attempted to exercise such control, for the Constitution of Louisiana forbade the judiciary from invading the Legislative Department; and these questions of State finance were political questions, dependent on legislative discretion, and out of the pale of judicial functions. Yet, although the domestic State judiciary could not interfere, a Federal tribunal would have to exercise discretionary political powers higher than those possessed by the coördinate department of the State, provided the State, who was no party and could not be bound by the proceedings, took no step to look out for her own interests. These State officers thus acting would of course be kept before the Court, to report from time to time their actings and doings in levying taxes, paying bonds, etc. Their bondsmen would of course be relieved from all liability on their regular bonds given as State officers. The Court would be compelled to require new bonds. At last, we should have the spectacle of the affairs of a sovereign State in the hands of receivers of a foreign tribunal, without the State ever having been party to the

cause; and of taxes levied on her people by a Federal court. If there ever was such a spectacle of sovereignty, it has not been recorded; and if such a state of things is possible, the talk about States having any sovereignty is mere sound, signifying nothing. If we pursue this wonderful scheme, it becomes more bewildering than the relationship of children, offspring of father and son who marry daughter and mother; and if we begin to think what the State, who never has been sued and is in no wise bound, may be doing through her Legislature and otherwise, while her officers are being ordered around by the Federal court, we will not only conclude that the effort to exercise these powers is forbidden, but ridiculous, and calculated to put any judge in the mad-house who opens the Pandora-box of such a jurisdiction.

A good deal has been said in dissenting opinions and other papers about exercising this jurisdiction, because the State has consented to be sued. It seems to me such language is loose. How can a Federal court acquire jurisdiction by consent in a case like this? Suppose the State stood begging at the door to be sued, does not the eleventh amendment say, "The judicial power of the United States shall not be construed to extend to any suit," etc.? Then if it shall not be construed to extend to any such case, how can consent give jurisdiction?

That the consent was given to suits begun in a State court and removed to a Federal court does not help the matter, for the inhibition extends not only to suits "commenced" but to those "prosecuted" in the Federal court. This language was used advisedly; it was intended to wither and destroy this branch of Federal jurisdiction entirely. Consent could not give jurisdiction in a case "commenced" or in a case "prosecuted" in a Federal court, for the judicial power there to entertain such cases is no power at all. It has no more power to hear such a cause than it has to impeach the Emperor of Brazil for drunkenness, and if it had power to hear it, there is not sufficient power in all the machinery of Federal judiciary to reach the political agencies which must be moved to pay State debts.

The Supreme Court of the United States when it refused to grant the relief prayed for in the Louisiana case, asserted no new States Rights theory whatever, but merely pointed to a failure of jurisdiction in Federal courts which has been known to exist for nearly a century, and declared, what every student knows, that this exemption on the part of the State from suits

in Federal tribunals is one of the undisputed reserved rights of sovereign States. If it is wrong that such a condition of law should exist, it is a wrong very deliberately committed by the States; for after the right of suit once existed they took it away. Taking it away, as was done by the eleventh amendment, did not make the clause against laws impairing the obligations of contracts a dead letter; it only took away jurisdiction in such cases where the State was a party defendant, and left the jurisdiction to invalidate such laws in suits between proper parties.

I forbear from citing further authorities, but respectfully submit that the careful study of Supreme Court decisions fails to discover the alleged leaning toward States Rights doctrines. This much is true, however,— that a tribunal essentially Federal, more independent of the power of the States than any other body or officer in any of the departments of Government, has from the beginning oftener pointed out the boundary where Federal power ends and State power begins than any other in our Government. But this is because it has oftener studied and expounded the Constitution, which, the more it is studied, discloses more and more, and often surprisingly, that "immense mass" of sovereignty still remaining in the States, alluded to so often by Chief-Justice Marshall.

The Supreme Court of the United States, while it has been always bold and quick and clear to recognize and announce, whenever called upon, essential and inherent powers in the Federal Government to maintain its supremacy, whether that power was derived from the express or implied language of the written Constitution, or from higher law, has nevertheless with steady hand insisted that until the Constitution shall be blotted out, our form of government is duplex, with rights and powers in States which cannot be ignored or construed away, unless the language of the Constitution is as sounding brass and a tinkling cymbal. To have held this truth steadily in view amid all the disturbing surroundings and all the temptations of power to ignore it; to have held an oftentimes unwilling people up to its recognition; to have stood through all these years until the people have been brought back to truth and soberness in their understanding of Federal and State relations,— is a record which must always redound to the honor, power, and glory of that great tribunal, the Supreme Court.

JOHN S. WISE.

THE

NORTH AMERICAN REVIEW.

APRIL, 1884.

No. 329.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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1884.

NORTH AMERICAN REVIEW.

APRIL, 1884.

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NORTH AMERICAN REVIEW.

No. CCCXXIX.

APRIL, 1884.

THE DECLINE OF AMERICAN SHIPPING.

MR. DINGLEY.

It is important to keep in mind the fact that the decline of the American merchant marine, which is deservedly attracting so much attention, is confined to shipping employed in the foreign trade, and does not extend to tonnage in the coastwise trade.

Computing by the accepted rule that one ton of steam vessels is equal in carrying efficiency to three of sail, the American fleet in the coastwise trade in 1855 comprised the equivalent of 3,987,345 tons of sail. In 1860 it was the equivalent of 4,446,387 tons of sail. In 1869, after it had nearly recovered from the effect of the disturbing influences of the Civil War, it included the equivalent of 4,300,892 tons of sail. Notwithstanding the unexampled development of competing railroad systems, which have secured much of the business that would have gone to vessels under former conditions, the official statistics for the fiscal year ending June 30, 1883, show in our coastwise trade a tonnage equivalent to 5,415,970 tons of sail. This is a growth of more than twenty-five per cent. in the last fourteen years, a rate of increase far greater than that shown by the coastwise merchant marine of any other nation. It is worthy of note, also, that not only is our coastwise marine nearly three times as large as that of the United Kingdom, and more than five times as large

as that of any other nation, but that its freight charges are also lower than those of the home fleet of any other nation.

The American merchant marine in the foreign trade has, on the other hand, steadily declined since 1855. In that year 71.95 per cent. of the tonnage entered at ports of the United States from foreign countries was American. In 1860 the entries of American tonnage had fallen to 66.04 per cent., a decline of nearly six per cent. in five years, or one and a quarter per cent. per annum, in the face of an increase of nearly six per cent. in entries of foreign tonnage. The decline in ship-building for the foreign trade, and in the percentage of our exports and imports carried in American vessels was much greater. During the Civil War the entries of American vessels fell off 23.83 per cent., declining to 42.21 per cent. in 1865. In the eighteen years since the war the decline has been 21 per cent., or about one and a quarter per cent. per annum. The noticeable fact disclosed by the official statistics is that the average annual decline of the American foreign-carrying trade during the five years before the war was about the same as that since the war.

The explanation of this apparent anomaly of the continuous prosperity of the American merchant marine employed in the coastwise trade, and the decline of American shipping in the foreign trade since 1855, after a steady growth of half a century, is clearly indicated by the history of the commercial marines and shipping legislation of the United States and England. The enterprising character of the early settlers of the United States, their location on or near the sea-coast, the opportunities for sea-fishing, the abundance and cheapness of excellent timber for ship-building, and the absence of manufacturing industries and other openings outside of the farm for ambitious young men, early turned the attention of our people to maritime pursuits. This maritime spirit was fostered by the founders of our government, not simply as a source of material prosperity, but also and especially as indispensable to commercial independence and national safety. The first Congress which assembled after the adoption of the Constitution enacted that only American-built vessels should be entitled to an American register or enrollment and license; that the coastwise trade should be restricted to American vessels; and that foreign vessels participating in the business of carrying our exports and imports should be subject to discriminating charges and duties.

Our ability to successfully compete for the carrying trade of the world seemed to be so well assured by our cheap and abundant timber for ship-building, and the strong position which we had already secured on the ocean, that in 1828 Congress finally adopted the policy, partly inaugurated thirteen years before, of inviting the leading commercial nations to unite with the United States in establishing reciprocal maritime relations as to the foreign-carrying trade. Norway and Sweden, which had almost no carrying trade to offer the United States in exchange for the privilege of participating on equal terms in our trade, and whose sailing vessels are to-day seizing those bulky cargoes which foreign steam-ships do not carry, was the first nation to accept our invitation. It was not till October, 1849, that Great Britain accepted our tender, and the vessels of our great ocean rival were admitted to our ports to participate in the foreign-carrying trade on the same terms as American vessels. Fortunately, however, the coastwise trade of the United States was not also opened to foreign vessels in connection with the foreign trade, although England earnestly sought this, and there were not wanting *doctrinaires* who insisted that this course would increase the prosperity of our coastwise marine.

At the time Great Britain accepted our invitation to participate, on equal terms, in the business of transporting our exports and imports, on condition that our vessels should have the same privileges in her ports, experiments in iron ship-building and steam propulsion were going on in that country, which, as early as 1855, began to work a revolution in marine architecture. Inasmuch as the construction of an iron vessel from the ore in its bed involves twice as much labor as the building of a wooden vessel from the timber in the forest, this revolution from wood to iron and sails to steam at once began to deprive the American merchant marine of the virtual protection which it had enjoyed so long as wooden sailing vessels controlled the carrying trade of the world, and to give England, as the possessor of rich mines of iron and coal near the sea-shore, with cheap labor to work them, as great an advantage as we had previously possessed.

While this revolution in marine architecture was gathering volume, the British Government saw its opportunity, and in 1854 established a Board of Trade, making its president a member of the Ministry, and imposed on the board the duty of looking after the interests of the British merchant marine. Under

its lead, Parliament began a careful revision of English merchant shipping laws, with a view of removing every differential charge or burden, and extending every possible facility to her shipping.

Not content with this, the English Government adopted the policy of encouraging the establishment of British steam-ship lines on all the important routes of commerce, by liberal grants for mail service, while the American Congress neither relieved our merchant marine of any of the charges or taxes which England had lifted from her shipping, nor took any steps, beyond two or three spasmodic efforts, soon abandoned, to encourage the inauguration of American ocean steam service. Unfortunately, at the period when general attention began to be directed to the steady decline of our foreign-carrying trade, the Civil War burst upon the nation, and for four years engrossed the energies and capital of our people. While we were bending our efforts to save the nation, England was taking advantage of her opportunity; was building up great iron ship-yards, and was establishing, through government aid, lines of English screw steamers.

The United States came out of the civil war with a third of the foreign-going shipping which she had in 1861, lost through capture by the Anglo-Confederate cruisers, or through sale to foreigners to avoid capture; with an enormous debt and a depreciated currency; and without one iron ship-yard, or one iron merchant steam-ship. In addition to these obstacles to a revival of our foreign-carrying trade, the extraordinary demand since the war, for capital and men to develop the resources of the new West, build railroads, and extend manufacturing industries to meet the wants of a rapidly growing population, has diverted our people from maritime pursuits open to foreign nations, which were proving less and less remunerative, because of foreign competition; while England, from the necessities of her narrow and fully developed territory, and the slow growth of population, has been compelled to seek for something to do for other nations rather than herself, and has seized the carrying trade of the world, because this has been opened to her by all nations on the same terms as to their own citizens.

While the Civil War, and the conditions growing out of or following that conflict, which have been referred to, have accelerated the decline of the American merchant marine in the

foreign trade, and increased the difficulties of its revival, yet the primary causes of that decline antedate the war at least five or six years, and have exerted their adverse influence from that time to the present. These causes have been already suggested in the historical *resumé* that has been given, and may be summed up as, first, the revolution in marine archictecture from wood to iron and sails to steam, by which the United States lost an advantage previously enjoyed, and England gained it; and, second, the adoption by England of the policy of removing burdens and extending facilities to her merchant marine, coupled with liberal grants, under the name of mail-pay, to encourage the establishment of steam-ship lines, while the United States has left her merchant marine to care for itself. These causes have been given full play by the adoption of the policy of maritime reciprocity, by which Great Britain and other foreign nations have secured the right to participate in the business of carrying our exports and imports on the same terms as American vessels. The only reason that our merchant marine in the coastwise trade has not gone the way of our foreign-going shipping, is because the former has been protected against the causes which have well-nigh destroyed the latter, by the law which restricts the home trade to American vessels.

It is unfortunate for our merchant marine that there has been an inclination among many to overlook the real causes of the decline of our foreign-going shipping, and to ascribe its decadence to the substitution of so-called protective tariffs for the so-called revenue tariffs of 1846 and 1857, which change, it is charged, "has crippled our foreign commerce, and made it impossible to successfully build iron vessels in competition with England." Three plain facts, within the reach of every one who will take the pains to examine, show how groundless is the allegation that tariff changes have had anything to do with the decline of our foreign-carrying trade.

First. Our foreign commerce, which is measured by our exports and imports, increased more than $1,000,000,000 in the fifteen years after the war, under a so-called protective tariff, against less than $500,000,000 in the fifteen years before the war, under a so-called revenue tariff. Yet, notwithstanding the unexampled growth of our foreign commerce, American vessels carry but little more than half as much of it as they did in 1855. If our merchant marine in the foreign trade had grown

with our commerce, it would to-day have a tonnage four times as large as it actually possesses.

Second. Our foreign-carrying trade prospered equally well under the protective tariff of 1842 and under the revenue tariff of 1846, until 1855–6, and from that time, under the same revenue tariff, it began to decline; and the average annual decline in the five years before the war under revenue tariffs was as great as the average annual decline since the war under a protective tariff.

Third. The duties on imported materials for the construction of vessels for the foreign trade are less under the existing tariff in the case of a wooden ship, and no more in the case of an iron ship than they were under the tariff of 1846, for the reason that since 1872 all timber, lumber, hemp, manilla, iron and steel rods, bars, spikes, nails, bolts, copper and composition metal, and since March, 1883, all wire rope needed for the construction, equipment, and repairs of vessels to be employed in the foreign trade, may be imported free of duty, while under the tariff of 1846 nearly all of these articles paid a duty.

Within a few years the view has been industriously disseminated that the proper and only efficient remedy for the decline of the American foreign-carrying trade is "free ships"; or, in other words, the repeal of that provision of the navigation laws of 1789 which restricts the right of American registry to American-built vessels, and the substitution of an enactment allowing the admission of English-built vessels to an American register free of duty. Among the serious objections to free-ship legislation are the following:

First. Free-ship legislation would be practically the adoption of a policy looking to English rather than American ship-yards for whatever vessels we may require for deep-sea service. The suggestion that Germany has found her free-ship policy leading up to the establishment of iron ship-yards in that country is not pertinent to the situation of the United States. Germany had as cheap labor as England to work her mines and build her vessels, and therefore was under no disadvantage except want of experience in competing with the latter country.

The United States, on the contrary, have not only the disadvantage of want of experience in iron ship-building, which is soon overcome when other conditions are equal, but the greater and constant disadvantage of higher wages for labor. In time, our

ship-builders can overcome both of these disadvantages, provided they are encouraged to invest the large capital required. But if the Clyde builders, with all the advantages that they possess in well-established ship-yards and cheaper labor, should at this time be allowed a free market for their vessels in this country, it is unreasonable to expect that any one would risk capital in building up a new industry exposed at the start to such unequal competition.

Stress is sometimes laid on the fact that the free-ship programme, as at present formulated, applies only to vessels for the foreign trade. While this is true, yet it is well understood that this restriction is made simply to drive an entering wedge. Most of the free-ship advocates who have appeared before Congressional Committees, when pressed, have conceded that few persons would think of buying foreign-built vessels and giving them American registers unless they could use them in our coastwise as well as foreign trade.

Secondly. A free-ship policy would not revive the American foreign-carrying trade. All history shows that ship-building and ship-owning are linked together. It is only the nation which can build its own ships that can permanently maintain a strong merchant marine. No example can be found of a people who have obtained any prominence on the ocean unless they have pursued a policy looking to the home construction of their own vessels.

It is significant that most of the practical ship-owners who have appeared before Congressional Committees, in response to the inquiry as to whether free ships would permanently revive the American-foreign carrying trade, have expressed a negative opinion. A director of the largest American steam-ship company in the foreign trade, in reply to this question, said that his company had investigated the subject, and had found that they could buy such iron steam-ships as they are using twelve per cent. less on the Clyde than in this country; but that this difference is not sufficient to compensate for the difficulties and delay which would arise from being obliged to send to England, where the patterns would be, to duplicate important parts of the machinery of a foreign-built vessel in case of accident.

Another prominent ship-owner remarked, in response to a similar inquiry, that any American who would buy a British-

built vessel to save the small* difference in first cost, would prefer for the same reason to give such a vessel a British rather than an American register, as by so doing he could save more money in sailing his vessel than in the original purchase. If the chief object sought is to secure the profits of the foreign-carrying trade for American citizens, we need no legislation, for Americans already have the right to buy almost the entire interest in any British vessels, and pocket the profits of the business which they may secure.

It is often claimed that the rapid growth of England's merchant marine is due to her adoption of the free-ship policy in 1849. But this is an error. For four years after England adopted this policy the tonnage of the shipping of the United Kingdom increased very slowly, while that of the United States grew more rapidly than ever before. Had it not been for the great revolution in marine architecture which came to England's aid, her shipping would have continued to fall behind ours. This is admitted by so high English authority as Mr. W. S. Lindsey, the most prominent promoter of the British legislation of 1849, who, referring to the first year's results of that legislation, says, in his "History of Merchant Shipping":

"Our [the British] ship-owners naturally viewed with great alarm the rapid strides made by American shipping. Nor were their fears allayed by a reference to the Board of Trade returns, wherein it appeared that while the increase of British shipping had in the year previous to repeal been 393,955 tons, there had been a decrease in the year after repeal of 180,576 tons. Our position appeared, therefore, critical; and had it not been for the resources we held within ourselves [referring to iron, coal, and cheap labor], and the indomitable energy of our people, foreign shipping might then and there have gained an ascendency which might not afterward have been easily overcome. . . . We had one advantage which our great American competitor did not possess. We had iron in abundance, and about this period [1852–3] we were specially directing our attention to the construction of iron ships to be propelled by the screw."

Third. Outside of all commercial considerations, there is an overshadowing and intensely vital reason for dismissing any

* Recent statements of prominent ship-builders show that the difference in cost of building iron vessels in this country and England is diminishing from year to year. Messrs. Gorringe and Cramp, of Philadelphia, Roach, of Chester, Penn., and Gibbons, of Wilmington, Del., state that the difference to-day does not exceed eight per cent. for iron sailing vessels, twelve to fifteen per cent. for such passenger steam-ships as are found in the leading trans-Atlantic lines, and fifteen to twenty per cent. in iron steamers built mainly for freighting purposes. All claim that a vessel built of American iron is better than one built of English iron.

policy which practically proposes to rely upon England's ship-yards to supply whatever vessels may be wanted for our merchant marine in the foreign trade. This reason is, that it is necessary for the safety and defense of the United States to maintain within our territory extensive and thoroughly equipped ship-yards, with skilled mechanics, in order that the Government may have them in readiness to speedily build a fleet of armed vessels and transports in case of war. Navy yards cannot be maintained to an extent beyond the demands for repairs of naval vessels and the slow construction of war vessels in time of peace. England, with her immense government establishments, has built only nineteen per cent. of her war vessels in her navy yards. In time of actual or threatened war, she relies almost entirely upon her great private ship-yards.

Nearly all the great fleet with which our Government blockaded Confederate ports and made it possible to crush the rebellion, were built in our private ship-yards. The little Monitor, which probably saved the great cities of the North from bombardment and destruction by the Merrimac, was built in the brief period of a hundred days in one of our private ship-yards. In what condition would our country have been at the opening of the rebellion, if she had adopted the free-ship policy in 1856, discouraged American ship-yards by admitting English-built ships to American registry free of duty, and relied on the Clyde builders for vessels needed to close Confederate ports! In what condition would our Government be in the event of a war with England, if we should now adopt the policy of looking to the Clyde ship-yards for vessels, instead of maintaining ship-yards to build them at home!

The necessity of an American merchant marine in the foreign trade does not arise from the desirability of securing the profits of the business; for these can be secured as well by American ownership in British as in American vessels. It arises from the importance of preserving our commercial independence and securing safe transportation for our exports and imports in the event of wars between foreign nations, and from the necessity of maintaining a body of trained seamen who may be called upon to man our navy. And the necessity of extensive ship-yards arises from the fact that they are essential to maintain a strong merchant marine, and to build armed vessels and floating defenses in time of war. The cheapest and only effective way in which the United States can be put in a position to meet

other great maritime powers on the ocean and in the waters of our own coast, in case of war, is by encouraging the development of a large merchant marine built in our own ship-yards.

The problems to be solved, in order to revive our merchant marine in the foreign trade, do not relate so much to the successful building of vessels as to making it as profitable to sail vessels under an American as under a British register. Wooden sailing vessels of the best quality we already build as cheaply as vessels of similar quality can be built anywhere. Iron ship-building is only ten years old in this country. Indeed, it is only five years since a return to specie payments and normal prices gave us a fair start. Already, some of our iron ship-builders, by availing themselves of the provisions of the Act of 1799, which allows on reëxportation a drawback of ninety per cent. on imported materials used in building a vessel or manufacturing any other article on foreign account, have been enabled successfully to compete with English builders in the construction of iron and steel river steamers for Brazil merchants. With an extension of the Act of 1872, which allows a rebate of duty on certain materials entering into the construction of American vessels on domestic account for the foreign trade, so as to cover a wider range of such articles as can be advantageously imported to work with American materials, it is the opinion of men well qualified to judge, that without adverse legislation, iron and steel steam-ships will within ten, if not five years, be built as cheaply in the United States as on the Clyde.

The great obstacle to the revival of the American foreign-carrying trade is the fact that our English rivals can sail their vessels more profitably than we can sail ours, even when of substantially the same cost. In the case of sailing vessels, manned as they are largely by Swedes, Norwegians, Portuguese, and Italians, who also man British vessels, the difference arises mainly from the fact that our antiquated merchant-shipping statutes and other laws impose upon American vessels charges and taxes long since removed from the vessels of our foreign rivals. In the case of steam-ships, which require a different class of men, the difference arises not only from differential charges imposed by our laws, but also from the higher wages paid to American employés. The vice-president of the Philadelphia Steam-ship Company, the only American line plying between the United States and Europe, recently stated that his company

is considering the expediency of selling their vessels to an English company, for the reason that they can be sailed more profitably under the British than under the American flag. The removal of all differential charges, fees, taxes or burdens, imposed by law, which increase the cost of sailing an American vessel, is obviously the first step in any policy intended to revive our foreign-carrying trade.

There is another and more important reason for the success of the British merchant steam-marine, and that is the fact that the English Government has for more than thirty years steadily pursued the policy of encouraging the establishment of British steam-ship lines on all the routes of commerce, by granting them liberal mail-pay, while the United States have been deterred from adopting a similar policy by the cry of "subsidy." For many years, England paid her steam-ship lines from five to eight million dollars annually for mail service, increasing the pay whenever it was necessary to overcome competition, and reducing it when rivals had been driven off. The last fiscal year for which the figures are at hand, she granted about three million dollars for ocean mail service, of which almost every dollar was paid to British vessels.

In the last fiscal year the United States paid only $313,545 for ocean foreign mail service, of which less than $50,000 was paid to American vessels. We compel American foreign-going vessels to carry letters any distance for two cents each, but foreign vessels have the privilege of making their own contracts. We paid the American steamers which ply between San Francisco and China, Japan and Australia, for mail service, a "subsidy" of $14,171. England paid her China and East India lines, for "mail service," the sum of $1,790,000. We paid the American line to Brazil, for mail service, the munificent "subsidy" of $4,619; England paid her Brazilian line, for mail service, $56,690. We paid the American lines to the West Indies $12,298; England paid her West India lines $406,811.

We grant liberal mail-pay to coastwise steam-ship lines that have no foreign competition, without calling it "subsidy"; but when we come to American steam-ship lines that are struggling in the face of the sharpest British rivalry, we seem to begrudge the merest pittance. We can properly pay the Cedar Keys and Key West coastwise steam-ship line, whose route covers only three hundred miles, $31,000 per annum, under the name of

"pay for mail service"; but if any Congressman should propose a bill to give proportionate compensation to American steam-ship lines to Australia, South America, and Europe, he would be silenced by the cries of "subsidy" which would be raised.

In the face of the fact that, since the screw steam-ship became the vehicle of foreign commerce, the nation which establishes and successfully maintains steam-ship lines controls the trade of the world and commands the ocean in time of war, it is incomprehensible that the representatives of the American people, who have been ready to vote millions of money and hundreds of millions of acres of valuable lands to build railroads, and vast sums to improve rivers and harbors, should be so unwilling to expend two or three millions annually in the form of mail-pay to encourage the establishment and maintenance of American steam-ship lines to foreign countries. By so doing we should not only foster profitable commercial relations, but also maintain our commercial independence and, above all, provide ourselves with a fleet and ship-yards that will be indispensable for national defense in time of war.

NELSON DINGLEY, JR.

MR. CODMAN.

VARIOUS "shipping bills," some of them emanating from the Shipping Committee, some from the Committees on Commerce, and some containing the panaceas of individual members, have been reported to the Senate and House of Representatives at Washington. One or more of them may possibly be discussed. It is therefore appropriate to review succinctly the history of what is familiarly known as the "decadence of our commercial marine," and of the abortive attempts that have hitherto been made to overcome it.

Pamphlets innumerable have been written, newspaper columns have been filled and speeches have been made, and yet the public mind is rather confused than enlightened. All that is known, and that is known by everybody, is that the American carrying trade has been going, is still going, and, at its constantly accelerated rate of downward progression, will soon be gone, entirely out of sight. Few treatises upon the subject have been more able than the prize essays published lately

in the "Proceedings of the United States Naval Institute." They were written by some of the most intelligent officers of the navy, and are entitled to respectful consideration, not only because of the opportunities afforded their authors thoroughly to investigate the subject by the observation gained in their profession, but because of the impossibility of ascribing to them corrupt motives. Their own characters are a guarantee against such suspicion, and the fact that the merits of their respective theses were to be considered and decided upon by a board of their seniors, adds, if possible, to their claim to impartiality.

Every one of the competitors is led to the same inevitable conclusion, that although some minor obstacles, which will undoubtedly be removed by the present Congress, have stood in the way of economy in sailing our ships, the one important factor lacking is the gift of that freedom to buy and to sell, which is accorded to the people of all other countries excepting our own, the want of which has been the cause of our much-lamented decadence. Those whose personal or political interests lead them to take an opposite view of cause, effect, and remedy, argue with such self-assurance as to win general assent to their assumption that the decadence commenced with the outbreak of our Civil War, and that England then with malice prepense, fitted out piratical cruisers directed to the destruction of our "commerce," by which they mean our ships, so that these being out of the way, she could thenceforth remain the sovereign of the seas. Not only have these staple assertions become stereotyped, but the hallucination is still entertained that whatever Great Britain did, does, or proposes to do touching her shipping interests, by simply permitting the independent action of her subjects, is part of a nefarious scheme concocted with the deliberate purpose of driving every American ship from the ocean.

Now, it is not only untrue that the Civil War entailed general injury upon our ship-owners, but it is not difficult to demonstrate that while comparatively few of them suffered from it, the majority, upon the whole, were actually benefited. The Alabama and her consorts destroyed some of our ships, for which the British Government afterward paid. Others were nominally transferred to the British flag, under which they earned good freights, with all the advantages of better marine laws and the protection of a more efficient navy. They were only prevented after the war from hoisting the American flag again for

the remainder of their short lives, by the ship-building lobbyists. But many more of them were sold *bona fide* at high prices to foreigners, and when Peace came again to find what a maritime revolution had taken place in her absence, caused by the introduction of iron sailing ships and iron screw steamers, these worthless wooden hulls, well sold to foreigners, were condemned to rot in foreign docks instead of in our own. That was precisely the effect accomplished by the Civil War upon our commercial marine.

And yet Mr. Lynch, of Maine, representing a ship-building district, and holding the chairmanship of the first committee appointed in 1870 "to investigate the decadence of American commerce," by which Congress meant the decadence of ship-owning, and which that enlightened statesman understood to mean the decadence of wooden ship-building, reported that these depredators had destroyed the industry of Maine, whereas it was patent that if that class of ships had been worth replacing, the industry would have been immediately and most profitably stimulated. He accordingly recommended bounties in the view of enabling an obsolete style of naval architecture to compete with the new mechanism developed in iron steam-ships. Of course, the object of Mr. Lynch was to obtain a reëlection; but that his views should prevail with the committee was not creditable to their intelligence. All its members, with the single and honorable exception of Mr. Holman, of Indiana, signed this infamously stupid report. When a motion to print it came before the Senate, and some one moved that it be laid upon the table, Senator Davis, of Kentucky, suggested, by way of amendment, "that it be kicked under it." If the Civil War had never supervened, what would have been the value to-day of that whole fleet, none of the vessels being large enough for the California trade, which is all that remains for us; and if, under the stimulus of bounties, other wooden ships had been built, who for any other purpose than that of fire-wood would accept them as a gift?

We now approach that other staple argument, so aptly termed by Mr. David A. Wells "the historic lie." It has been again and again repeated in Congress, before committees and by the press, until, like the "Alabama" story, it has been taken without investigation to be true. Within a year its chief narrator rehearsed it before the peripatetic Senate Committee on Capital

and Labor with astounding effrontery, in these terms: "Great Britain has subsidized her ship-builders, and placed them in a position where there could be no opposition. Twenty-five per cent. of the capital invested in ship-building is drawn from the English treasury and paid to English ship-builders in order for them to break down American competition!" That terribly malevolent England, it would seem, carries on her business not for profit but for spite!

An illustration of "British vindictiveness" was given by Mr. Wm. H. Webb two years ago, before the Finance Committee of the Senate. He told them how cruelly a fast line of British iron screw steamers had run off some old wooden side-wheelers, owned by him, which made occasional and prolonged voyages to the North Sea, but he forgot to mention that the British line was not subsidized. At the same meeting a protest was entered against the repeal of our prohibitory navigation laws by the large deputation of ship-builders, out of pure regard to their weak-minded countrymen, who, they maintained, would, if liberty should be given them, expend their money in the purchase of old unseaworthy craft which have been condemned as unfit for British use!

After their manipulation of that extraordinary Lynch Committee, it is, perhaps, not surprising that the ship-builders should place a low estimate upon Congressional brains. On every occasion when there is to be a hearing before a committee, their persevering leader is sure to be present with an armful of documentary evidence to prove that Great Britain has subsidized certain lines of steam-ships. Nobody has ever thought of denying it. In the early days of steam navigation, when small wooden side-wheel steamers could transport scarcely anything beyond fuel, passengers, and mails, it was necessary for the postal department to pay them liberally for carrying letters which would otherwise have been sent by sailing vessels. It was quite as necessary as it would be, and frequently is, for our Postmaster-General to pay a high price in some of the Western States and Territories to stage-coach companies, which would not otherwise have patronage enough to induce them to run their lines. But these facts do not indicate that the British Government granted subsidies for the promotion of ship-building, any more than that the American Government is a partner in the coach-building industry.

England's mail operations for the benefit of her people and of her trade are carried on over the waters, as ours, for precisely the same purposes, are carried on over the land. Each nation employs the vehicles that are best suited to its purpose. As on our northern borders we subsidize a stage-coach company, without asking if the wagons are built or the horses raised in the United States or in Canada, so England, to carry the mail to her colonies and dependencies, subsidizes steamship companies without dictation or inquiry as to the country in which their ships are launched. It is enough for her that, as a part of the condition of hire, they shall carry her flag and be subject to her laws, so that in case of war she may demand their services as transports. This practice is a flat denial of the story, so often repeated, that "England encourages her ship-building by liberal subsidies," which is made to carry the inference that we should go and do likewise. Nay more, while it is a fact that several foreign-built steam-ships are earning subsidies under the British flag, oftentimes even this qualification is not insisted upon. Steamers under the French flag are paid for carrying British mails in the South Pacific; and two of the Pacific Mail Company's ships, under the American flag, do not disdain to earn British gold by carrying British mails between Australia and California.

In one respect mail steam-ships have been of benefit to the general carrying trade, while in another they injure it. A well-established postal intercourse, such as now exists, without further call for subsidy on the part of any nation, encourages trade by affording regular and rapid communication all over the globe. On the other hand, a subsidized line of steam-ships manifestly works injustice to unsubsidized steam-ships and sailing vessels plying between the same ports. If Americans complained that unsubsidized British steam-ships ruined their business, how much more aggrieved they would have been if "vindictive England" had aided their opponents with a subsidy? And while they would have been duly grateful to Congress for aid granted to themselves, would they have been at all pleased if it had been afforded to an opposing American line? The necessary subsidy given by England for postal purposes, so far from meeting the general approbation of her ship-owners, has always afforded a just ground for complaint to the owners of independent lines and single ships competing

upon the same routes. British ship-building and ship-owning are thriving, not because of subsidies, but in spite of them. It is therefore evident that if Congress should subsidize certain lines upon certain routes, so far from encouraging American ship-building beyond the launching of a few monopolizing steam-ships, it would effectually bar all competition.

The advocates of subsidy frequently cite the example of France, a nation that, against the fiat of nature, is assiduously striving to become nautical. They forget to mention that her subsidized lines of steamers are mostly built in Scotland; and when they tell us how, in addition to steam-ship subsidies, she pays an actual bounty on every ton of shipping under her flag, they carefully avoid allusion to the fact that the bounty is so graduated that the vessels can be built with more profit in Scotland than at home. And this is the novel way in which "France protects her domestic ship-building"!

When we are counseled to imitate Germany, it is by those who are so ignorant, or who imagine that others are so ignorant, as to suppose that Germany has, for any purpose whatever, adopted the policy of subsidizing her ships. She owes the whole of her maritime success to the better, cheaper, and more natural policy of free ships. Availing themselves of the liberty denied to American citizens, when the transition took place from wooden sailing ships to iron steamers, her people appropriated the trade which we had hitherto enjoyed, by purchasing steam-ships upon the Clyde, which necessitated the education of seamen and the building of repair shops at home. The result of it is that she is not only competing with England in the carrying trade of the world, but is now building nearly all the ships she requires in her own yards. Free ships, which she had,—not subsidy, which she never had,—have done this for Germany. In short, the chimerical idea that the industry of ship-building could only be maintained by paying favored individuals a high price for carrying letters, never entered the heads of any people except Americans, and here it is chiefly centered in the brain of one man.

If neither the Civil War nor the British practice of subsidizing mail steam-ships has been the cause of our decadence, where shall we look for it? Is it altogether in the tariff? A ship-builder whose authority as to the cost of materials ought to be entitled to credence, has said repeatedly that ninety per cent. of the cost

of a ship is in labor. Let us suppose that a steam-ship of three thousand tons costs, in round numbers, five hundred thousand dollars. Upon the ten per cent. value of material, the duties, if it should all be imported, could not certainly amount to more than five or ten thousand dollars, and that is all that the tariff can have to do with it. Is it, then, the tariff that causes the laborer's living to cost him more, and consequently forces him to demand higher wages? We shall see if we go back to some records made in 1857, four years before the Civil War commenced, and when the tariff under which we were living was exceedingly moderate, as it was levied rather for revenue than for protection. The decadence had begun even before that time.

When employed in the Black Sea during the Crimean war, from 1854 to 1856, I was constantly in company with a large fleet of unsubsidized British iron screw steamers, which were already supplanting sailing vessels. After the war was over, with a desire to know why we could not build similar vessels at home, a correspondence was instituted, embracing some statistics forwarded by several firms on the Clyde, which I caused to be published in the "New York Journal of Commerce," commending them to the attention of our own ship-builders, and introducing them with these comments, which are as appropriate to the present situation as they were to that of 1857, since which time they have been too abundantly confirmed:

"Protection is afforded to give us an opportunity to learn to manufacture for ourselves as cheaply as others can manufacture for us; but if, after a fair trial, we will not or cannot learn, a longer continuance of what was intended for a benefit results in a manifest injury to the millions. While we are learning, England is using her advantages; and not only England, but through her agency other nations with whom we have commercial relations are profiting by them. Their merchants, captains, engineers, and sailors are carrying on our trade, and taking the bread from our mouths. We can build as good if not better sailing ships for the same money than the English, and they were perfectly aware of this when, by what seemed a suicidal policy, but what has since proved one of far-sightedness, they admitted all foreign vessels to the privilege of wearing the British flag. Thus they carry their own goods in their own vessels at a cheaper rate for their own people, instead of allowing these vessels under another flag to be earning money for people of another nation."

Herein, if any one will candidly and attentively consider, he will find the solution of the whole problem of our decadence. There had been no war; there was a very moderate tariff;

there was no depreciated currency; and still we did not, because it was made evident that we could not, build steam-ships or sailing ships of iron for foreign trade as well and as cheaply as Mr. Little, Mr. Denny, and other shipwrights were turning them out upon the Clyde.

There is no American ship-builder remembering 1857 before whom these statistics were placed, who will pretend that he could compete with the Scotchmen. Else why did he not? Was it because he did not have the plant? Was there not capital here as well as in Scotland to supply it? We are told that capital has sought investment in the far West, and is not attainable for navigation. Was this true in 1857? What has since driven it all to the West? What but the absolute prohibition of ship-owning? We were allowed to own all other useful and useless articles without manufacturing them. But ships, the tools of commerce, the merchant could not own unless he had them built at home. So, for want of tools, the merchant must perforce give up his business when American mechanics acknowledged their incapacity to meet his demand. Why could they not build the ships we needed then, and need now, on the Delaware? Was it not as good a river whereon to launch a vessel as the Clyde? Was not land as cheap for the location of shops upon its banks? Was it because we did not have the iron, which we are constantly told is infinitely superior to the British product? Was it because a people who pride themselves on their inventive powers could not introduce machinery? Was it because we needed equal subsidies or "postal contracts"? What assistance of this kind was afforded to the hundreds of private steamers and sailing ships of iron that were being built in Great Britain, and profitably employed by British subjects?

Mr. Roach himself answered these questions when he said that "labor constitutes the chief cost of iron ships." And labor in ship-building, forsooth, must be protected, while labor consequent upon ship-owning must be destroyed! There certainly was not any inability to sail ships in competition with Englishmen. We had an abundance of captains, officers, and sailors who had served in wooden ships, and who would gladly have availed themselves of the opportunity to obtain employment upon the same terms in the class of vessels that had superseded them. Why, then, was the privilege denied them? Why, in pursuance of a policy that should forthwith have been abandoned,

were these men deprived of the occupation by which they had before gained their livelihood? Why, as a class, are they now almost extinct?

Moreover, of what account are the arguments for protecting labor by a high tariff, when it can be shown that the difference between British and American labor was as great then as it is now, and that the American could buy more with his money than he can buy to-day? It is the demagogue and the monopolist who cry for the "protection of labor." In this country the laborer himself does not ask for it. If he did, he would demand that his competitors, whom his employers are constantly importing, should be excluded. God gives it to him, without his prayers, in the boundless opportunities offered him in this broad land, which do not depend upon tariff or free trade, Republicanism or Democracy. But while labor is independent, it must not be tyrannical. The ten thousand ship-building employés for the coastwise monopoly — if there are as many in the United States — cannot, at their prices and with the profits their employers demand, build the ships in which a hundred thousand seamen desire to sail; hence they must not longer hold their grip on men who, by buying vessels abroad, would employ ten times more labor on the sea in manning the ships than is employed on the land in building them. They must not say to the Government, "We are ready to build ships for your navy, but you shall not, as in former days, have a nursery of sailors to serve in it. You must depend, as you do now, on foreign hirelings." They must not say to the American merchant, "If you wish to own a ship for foreign trade, you must continue to own her, as you do now, under a foreign flag." And they shall not longer compel the American ship-master, brought up under the stars and stripes, to sail under the flag of which Englishmen may well be proud, but to which he owes no allegiance.

Let it be remembered that in the building of a wooden sailing ship neither plant nor labor bears the same high proportions to material as in the construction of the iron steam-ship. If we go back to ten years before the period we have just been considering, we shall find that, nearly all business being done in wooden sailing ships, the cheaper labor in England compensated for the higher cost of material; while on this side of the Atlantic the conditions were reversed, the abundance of timber compensating for the more liberal wages paid to our mechanics.

Thus it was that England and America competed on about equal terms in the business of wooden ship-building and ship-owning. According to the present ship-builder's theory, if there had been any inequality, the parties suffering from it should have been recompensed by a subsidy, or "postal contract," to encourage the style of ship-building peculiar to that period.

Having gone back to the year 1847, to consider the time when both nations were upon such an equality in ship-building that the prohibitory navigation laws common to each had no appreciable effect upon the prosperity of either, let us advance two years to the epoch when the gold discoveries in California and Australia so stimulated the carrying trade of the world, and when American mechanics took advantage of the opportunity to exercise their ingenuity in building those splendid clippers which far surpassed any vessels that had ever been built in either country in model and in speed. What, according to the theory so often cited, should have been the policy of England at that crisis? What else but to offer a bounty, or a "postal contract," to her ship-builders to enable them to get upon an equality with their Yankee rivals?

Remember that we are always told that we should "imitate England." Well, what did England do? Did she appoint an investigating committee, which accomplished nothing, and then, after waiting thirteen years, did she appoint another, which achieved the same result? Did she consider the interests of a few ship-builders to be paramount to those of the nation, which should be allowed to go to ruin lest these individuals should be in any degree molested?

There were fifty times more ship-builders then in Great Britain than there are now in the United States; but the proportion of the people was infinitely greater than that of the ship-builders. So it is now with us, who are afraid to legislate for the nation lest half a dozen firms on the Delaware may be obliged to curtail their profits. The British Parliament could not, like the American Congress, be held in the hands of one ship-builder; but when it became evident that for want of building wooden vessels of improved pattern as well and as cheaply as they could be built in the United States, whatever the reason for it might be, the country was losing its carrying trade, it resolved that, even if British ship-building might suffer a loss, British ship-owning, which was regarded as of immeas-

urably greater importance, must not, and should not, lose its prestige.

Then came from her ship-yards the identical howl which has frightened Congress for the last twenty-five years, running up the same gamut of direful prognostications: "Paralysis of home industry, dilapidated ship-yards, dependence on a foreign power for ships in time of war, and the national disgrace of flying the British flag over foreign-built ships." Our ship-builders have copied the music note for note, and whenever a Congressman from one of their districts has occasion to discuss this question, he sings the same plaintive song. It forms the grand basis of opposition to free ships, and often comes discordantly from the very men who tell us that we have no occasion to go abroad for vessels, when by their superior skill and machinery they can build them for us as cheaply at home! But England was not frightened into submission. She swept her prohibitory navigation laws away like cobwebs, and her subjects were allowed to buy ships anywhere to use everywhere, as if they had been built at home. Merchants bought them for the legitimate purpose of making money; captains, officers, and sailors were nurtured in them as reserves for the navy; and the British flag, without regard to the timbers that were under it, or the nationality of the men who put them together, still waved as it did before over every sea.

Suppose for an instant that the business of the world had continued to be transacted in wooden sailing ships, and that a ship-building lobby had persuaded the British Parliament to adopt an American policy. Would not America have triumphed as a maritime power over England, and might she not have congratulated herself upon the stupidity of her rival, as at this day not only England, but Germany, Holland, Denmark, Norway, Sweden, Italy, Spain, and even Mexico, whose flags are flying in our harbors on British-built steam-ships, whose merchants are enriched by owning them, and whose sailors are supported on the wages they earn upon them, congratulate themselves upon our willingness to pay them more than one hundred million dollars annually for carrying our merchandise and ourselves?

For this utter, downright incomprehensible stupidity, the United States, likewise without a navy, which, if it existed, would have no merchant marine for its legitimate support, have

become the laughing stock of the world, as Great Britain would justly have been if her policy in 1849 had corresponded with ours of the present day. It is simply and entirely because we would not "do as England has done," and as all other nations have done; it is because we would not confer liberty upon our ship-owners; because instead of stimulating the energies of our mechanics by wholesome competition we have lulled them into security by the opiate of protection, that we find ourselves to-day almost literally without ships or sailors for the purposes of peace or of war.

JOHN CODMAN.

SHALL OUR CIVILIZATION BE PRESERVED?

In a previous article we considered the question whether our civilization is perishable or not, and certain causes were pointed out which, it was thought, might lead to its destruction. These were stated to be of various orders: physical causes, moral causes, and causes compounded of the two; of which some were constantly operative, some newly arisen, and some threatening to arise in the future. Among the physical causes was mentioned the recurrence of an age of ice, regarded by scientists as sure to take place in a few thousand years, the effect of which would necessarily be utterly to destroy all living things and all the ordinary memorials of past civilization, such as books, monuments, and the like. Among the moral causes considered were an impure literature, resulting from and creating a perversion of the moral sense; and false reasoning upon religion; upon morals; upon the nature and treatment of crime; upon the reciprocal rights of capital and labor; upon the relation of physical force to political sovereignty, and so upon the foundation of the right to govern. Of the mixed causes but a single one was hinted at,—the employment of means to prevent the increase of families, resulting from a perverted view of the marital relations and duties. The opinion was expressed that by the operation of these causes, or some of them, and of others similar to them, our civilization might, and by the operation of the one first mentioned probably would, be destroyed. As such a discussion, if ending there, would be comparatively unfruitful, our purpose is now to inquire what can be done to guard our civilization from the operation of such of these, and other like causes, as in their nature are preventable.

Beginning with the physical causes, it is, of course, not imagined that they can be prevented. The most that could be done would be to protect the fruits of civilization in a

measure from complete destruction by their operation. As any scheme for effecting this must seem visionary, we shall present the one we have in mind in outline only, and pass on to the consideration of the preventable causes. We have seen that the written memorials of our civilization are impressed only upon paper, destructible both by fire and water. If it be desirable that part or all of the treasures of that civilization should be preserved in such a form that, after the termination of a future glacial epoch, the miserable remnant, if any, of the inhabitants of the earth might avail themselves of them, could this be done? Unquestionably it might be done, and happily the history of antiquarian research has within the present century brought to our knowledge the means by which it might be effected. Two or three facts in this relation are of extreme interest. By the aid of the Rosetta stone, Champollion and his successors in Egyptian archæology have been enabled to decipher the hieroglyphics engraved by the early kings of Egypt upon their temple walls and monuments. These inscriptions were in different languages or systems of writing, which those savants suspected to be translations of each other. Finding in the Greek rendering of some of the words a key, they verified this suspicion by unlocking the mystery of them all. The same miracle of acuteness and learning was afterward repeated in translating inscriptions in three languages, the Assyrian, Median, and Persian, found engraved, in the cuneiform character, upon a rock fifteen hundred feet in height, at Behistun, in Kurdistan. By the aid of these two monuments, the history of many of the oldest and greatest empires that ever existed, written in characters which before had been unintelligible, were made familiar to the learned world. One circumstance shows the value of the discovery made at Behistun: Some thirty years ago, Mr. Layard opened a mound in the neighborhood of the ancient city of Nineveh, and found buried in it an immense number of cylinders of baked clay, in a perfect state of preservation, which were covered with inscriptions in the cuneiform character. These cylinders, when their contents were translated, turned out to be the royal library of the great Assyrian king Sennacherib. It is important to observe that as these cylinders had lain under a desert sand-heap for about twenty-seven hundred years, and were still as fresh as when first burned, so they would probably have lain there five or ten times as long, without

injury, had they been left undisturbed. One further fact: Six thousand years ago there were erected the celebrated pyramids of Ghizeh, in Egypt; structures whose immensity is proverbial, and yet whose condition has remained unchanged by time or human ravage, save that the thin external layer of polished stone has been removed,— a fate from which the immense mass of the remaining materials will always effectually preserve them. Certainly, so long as civilization should prevail in Egypt their destruction would not be permitted; and if barbarism should supervene, no use would be found for them, even if the means existed of breaking up and removing them.

From these facts we infer that, by employing substantially the same means, the rich and powerful nations of the earth might preserve the best part of the treasures of their civilization, — the outlines of their history, of their arts and sciences, and of their religion, — and thus tide it over a period of calamity and darkness until the return of a better day. By engraving upon the inner walls of pyramids, or upon the scarped faces of mountains, inscriptions in many languages, carefully leaving a key in the use of natural objects as equivalents of the names of things, the message of the nineteenth to the thirtieth or the fortieth century might be surely and accurately delivered. Doubtless, to insure this result, it would be necessary to select for these repositories the best places and the least destructible material. The former would be mountain-tops or immense deserts where burial mounds or other erections would attract attention. At the same time, of any structures erected the material and mode of construction should be such as not to excite the cupidity of savage races, and as easily to satisfy an aroused curiosity as to their contents. To this end, stone or brick would be the material used. Further than this, we shall not stop now to develop the scheme, but after answering one or two objections to it, pass on. It may be asked, of what benefit would the amplest possible traces of our civilization be to uncivilized races of men, caring for none of those things; or even to races already so far redeemed to civilization as to have an intelligent curiosity about them, and sufficient learning and ingenuity to decipher them? The answer is, to races wholly uncivilized there would possibly be no benefit at all; but when their descendants should have advanced to a certain

point in culture and refinement, the benefit would be very great; it would be the same that has followed in our day from the translation of the inscriptions of ancient Assyria and Egypt: the correction of errors current as to the early history of mankind and, above all, the illustrating and widening of the scope of our sacred writings, the basis of our creeds. Here the benefit to us has been beyond computation, since the new light shed upon the past has broken many of the fetters of the old theology. And if it be further asked, how would it benefit the present to attempt to send its message to the distant future, the answer would be, it would benefit the present by compelling it to choose out of the chaotic *farrago* of arts, beliefs, knowledges, that which its best wisdom should pronounce to be worthy of preservation. It would thus simmer down and clarify to its own apprehension the riches of its civilization, and, as it were, under the solemnities of its death-bed, transmit what it valued of its treasures, together with its last counsels, to its posterity. How, in such a quest, most of our systems of philosophy, our social theories, and our theologies would fare, we shall not stop to inquire.

With respect to the moral and other causes referred to, what can be done to avert the evil consequences threatened by them? In addressing one's self to this question, there is a twofold danger: on one hand, the danger when attempting to enunciate general principles of lapsing into mere commonplace admonition and exhortation; and, on the other, that of giving too great prominence to some pet instrumentality, as the school or the church; thus substantially imitating the rules of art criticism followed by the charlatan in the "Vicar of Wakefield," who depended for his success as a critic of art upon a strict adherence to two rules: "the one, always to observe that the picture might have been better if the artist had taken more pains; and the other, to praise the works of Pietro Perugino." No array of hortatory maxims, or of general principles, and no civilizing agency, can alone be relied upon as equal to the task of saving civilization. For that there must be invoked all influences that promise to be effective, and the menacing causes must, in general, be counteracted by agencies that are cognate, moral by moral, physical by physical. The exception would be where the cause should be moral, but so intrenched in institutions or established interests

as to be inaccessible to counter influences merely moral. There, more positive or even material agencies would need to be employed.

Of the things necessary to be done to save our civilization, the first and most important is to cause a complete change of attitude on the part of society toward wrong-doing. What is now the attitude maintained? It is one either of indifference, toleration, or connivance, or one suggestive of paralysis of the power of indignation, and of every faculty needed for the repression of crime. Toward the criminal the attitude of the public is that of weak pity, not unmingled with admiration. The criminal is an unfortunate man, to save whom from punishment seems to be the chief end of the law. Look for a moment at his trial in a court of justice. The jury, carefully selected for their ignorance, are made judges of both law and fact; to convict, they must be unanimous; if they have a reasonable doubt of guilt, they must acquit; they are themselves to determine what is a reasonable doubt; and, to crown all, they are instructed that it is better that ten guilty men should escape than that one innocent man should be punished. These rules and maxims, devised centuries ago by merciful judges, then met the ends of justice, since, as the laws were, as against the crown officers seeking to convict, a person accused had no chance of acquittal, for he was allowed neither counsel nor witnesses; but now they operate to screen the guilty from punishment, save in the few cases where there is a general cry for vengeance against some atrocious offender. The maxim about the ten guilty men is pressed upon juries by every felon's lawyer as the great safeguard of private rights. In truth, however, the interests of justice would be best subserved by making it read: "It is better that ten innocent men should suffer than that one guilty man should escape." Were that declared to be the policy of the law, juries would be made to feel, not that the innocent were less deserving than before of acquittal, but that the guilty were a hundred times more deserving of conviction and punishment; and the results would be most salutary. In not one case in a million could an innocent man suffer; and hardly one in a thousand of the guilty, instead of three out of four, as now, would escape. How necessary such a change of attitude is, may be seen from the constant recurrence of voluntary movements of private citizens intended to supply the defects of the law. Because great criminals gen-

erally escape punishment, lynching parties are of weekly occurrence in our country. Citizens' Associations have been found necessary to secure the execution of our municipal laws. From the announcements constantly appearing in the public journals, that from such a day laws, long in force but left unexecuted, would be rigidly enforced, one might infer that the duty of an executive officer is to cause the laws to be executed when he pleases to do so, or not at all if such be his will.

A like paralysis of administrative energies is manifested by all the agencies of our governments, resulting either from the weak sentimentalism of the public in reference to its criminals, or from fear of the political influence wielded by them and their abettors. So far has this evil pervaded our system, that government by the people is fast losing the excellences that were thought to characterize it. This perverted sentiment shows itself in everything that relates to the personal liberty of the citizen. While the right to personal liberty is a sacred one where it really exists, it does not exist at all times or in respect to all men. Out of a weak regard for personal liberty, the hand of the law is often stayed where the direct result is the sacrifice of the public good,—as in regard to the compulsory education of the young. It was the opinion of John Stuart Mill that the extreme socialistic doctrines of his time, though threatening disaster to the peace of society, tended to good, since they must compel the higher classes to save themselves by educating the lower. And yet the power of the Government to arrest a youth deserted by his parents, and preparing to enter upon a career of crime, with a view to teach him a useful trade and the rudiments of an education, has been strenuously denied. To those who think thus, the right of the state to make a good citizen of one against his will begins only when he has become a bad one, and all its efforts may prove nugatory. That the change of attitude desired may involve a general tightening of the restraints of law, and justify its enemies in characterizing it as a "new toryism," as being a relapse from "industrialism" to "militancy," may be true, as Mr. Herbert Spencer contends; but that fact by no means settles the question of its necessity. If modern liberalism, with its *régime* of contract and the resulting universal license, is to land us in anarchy, then welcome the return of militancy, or of toryism, with its *régime* of *status*, for the sake of its accompanying social restraints.

One of the causes which, it was supposed, might tend to the destruction of our civilization, is such a radical perversion of the reasoning faculty itself, that its verdicts would not correspond to the truth of things; and the supposition was made that a sect should maintain that the end justifies the means and, accordingly, that homicide, even of the innocent, though generally a crime, becomes praiseworthy when deemed necessary to the propagation of the tenets of the sect. What could be done with such teaching as that? Assuming that the teaching would be conducted in secret, or that, if public, the old prejudice in favor of freedom of speech and of the press would prevent its suppression by law, recourse could only be had to measures tending to counteract the evil consequences. To this end, two things might be done: one, to compel the education of the young and to direct it, in order to protect them from the perverting influences of such instruction; and the other, to refute the false reasoning. Of the two, the former would be the more effective, since to be of much avail refutation must reach the minds sought to be influenced by it. The "Provincial Letters" of Pascal in vain refuted, as is generally thought, his Jesuit adversaries. Those letters have been read mainly by Protestants, and if they have prevented the lapse of these to Rome, they have not diminished materially the number of Rome's adherents. It is a dangerous fallacy that "error is powerless for harm when truth is left free to combat it." There must be a combat, and for that, truth must not only be free to advance, but it must advance; and it must be able to strike the enemy in his strongholds. This could be done, in the case supposed, only where society had enabled it to reach the young by compelling them to receive the education it should itself prescribe.

Another cause supposed was the prevalence of an immoral literature. The question what to do with such a literature is not free from difficulty, save, perhaps, as to its grosser forms. These, with their pictorial aggravations, should be relentlessly ferreted out and destroyed. It is amazing that a civilized community should permit in the mails, on the book-stalls, in the hands of its youth, openly, the shameless profanations of the printer's art which are so common amongst us. This is a new danger, which the abundance of money, the cheapness of printed books and papers, and the universality of the reading habit have brought upon us, and which has become extremely pressing

while our law-makers have been asleep. Such literature should be dealt with after a new method; it should be treated as we treat venomous serpents; every man's hand should be against it for its extirpation, and its authors and venders should be punished. As for the more subtle, but seemingly less harmful forms, while something might be done by forbidding their importation, by declaring them not the subject of legal contract, and by prohibiting their sale to minors of either sex, still more could be effected by a judicious censorship which should forbid the publication of matter not fit to be printed because of its immorality,—a prudential measure, the employment of which the frenzy for freedom to do whatever one pleases has too long, perhaps, discouraged amongst us.

The evil could be cured, however, only by cultivating a taste for better literature, through the multiplication of library facilities, and by a more pointed religious instruction, accompanied by a vigorous campaign against the production and the sale of the noxious matter, like that which is suppressing the sale of intoxicating liquors. And here, also, a change of attitude is much needed. Hitherto, given a work of artistic genius, no matter how filthy its subject or its treatment, the blind devotees of culture have made haste to stamp it as sacred, and have refused to let it die. Words are weak to express the absurdity of such a worship of impurity under the guise of art. No expense or effort is too great on the part of governments to prevent the approach of a plague which kills its thousands, while they permit the ravages of a moral pestilence which is certain to corrupt the spiritual natures of the millions, old and young, who come under its influence.

Let a true word be spoken of much of the nude art that fills our galleries. It is of two grades. The first is that of which the nudity is the most conspicuous feature,—naked figures, very clearly female and of the human species, but without a touch of imaginative beauty or of spiritual elevation. The second consists of really artistic presentations of that which, uninfluenced by a vicious custom, modesty could never consent to reveal, of which the effect, nevertheless, as of all true art, is elevating and inspiring. But as the higher forms of art are conditioned by the lower, from which they gradually emerge, is it probable that the total effect of nude art production is so far good that it ought to be encouraged, unless a careful discrim-

ination be made of the higher from the lower, and only the former be exhibited?

Another widely operating cause grows out of the relations of capital and labor. The conflict between these great forces has developed in our day questions and conditions, industrial, social, and political, of extreme importance and delicacy. How they are to be met and treated can be best shown by considering two of the many phases assumed by the warring parties. The first of these may be characterized as honest labor *versus* honest capital; and the second, as the associate guild of assassins — the Nihilist and the dynamitard — *versus* honest labor and capital.

How shall society deal with these foes, not only at war with each other, but advancing apparently for a deadly assault upon her? Here again we must repeat that the attitude of society itself, especially toward the first, the warring elements of which are credited by us with honesty of purpose, is to the last degree important. Society must be quick to concede whatever is reasonable and just in the demands, and to sympathize with the wrongs of each. The nobility of labor, the vulgarity of idleness, and the meanness and wickedness of grinding the faces of the poor, must be felt and taught. Let society emphasize these truths: that human nature receives the stamp it bears of nobleness, not from the *fainéant* rich, but from the laboring poor, who constitute the mass of mankind; that to earn his bread by the sweat of his face is at once the destiny and the unspeakable blessing of man; and that infinite harm has been done by the old wives' fable that labor was laid upon him as a curse. Thus estimating the parties, what can society do to arrest the dangers threatened from their conflicts? As the most promising field for its effort is the young, whom it has both the power and the right to mold, education should be compulsory, and it should be specially adapted to meet the social conditions of the time. The child should be taught that there is no more real antagonism between labor and capital than between the boy and the man; that labor is capital in a rudimentary stage; that seeking to become capital, it is constantly realizing its aim by simple growth. Let labor see that the measure meted out by itself to capital to-day will be measured out to it to-morrow when it has assumed a more advanced form and position, and let it cease to be jealous of that into which it desires and is destined to ripen. On the other hand, what posture should capital assume toward

labor? The answer is that of trustee for it, as well as for itself. The bitterness of the existing struggle between the two will subside when capital shall feel that the law protects it in the possession and enjoyment of what it calls its own, for the good of itself and of those by whose aid it was acquired. The fate of families demonstrates that nothing is so fatal in every sense as the attempt to bring up the children of the rich as drones, and to entail upon them alone the wealth accumulated by their fathers. It is, moreover, to be exacted from capital that it shall abate its haughty contempt for labor; that it shall elevate and dignify it by participating in it, and by numbering its own sons and daughters in its ranks; and, finally, that it shall forestall the calamities threatened by the vastly superior force of the laboring masses by just and timely concessions, and by unforced solicitude for their welfare. Nor is it enough that they severally cultivate the right spirit toward each other; when they cannot agree they must learn to arbitrate their differences, and to forego the exercise of their extreme right to strike or to lock out as too costly and too indecisive. When, by the growth of moderation and of the spirit of compromise, the two powers have demonstrated that they can be trusted to deal with the interests of each other, society will ordain that there shall be three separate legislative bodies, one chosen by labor, one by capital,— to whom all questions affecting their respective interests shall, in the first instance, be submitted,— and the third, the ordinary legislature known to our constitutions, charged to enact into laws the compromises formulated by the other two; or, in case of their disagreement, to establish just measures for them, after having exhausted the usual legislative expedients for avoiding a deadlock.

As for those whom we have denominated assassins, while they are justly and almost universally odious, there is this to be said in their favor: they can often point to real grievances, and they are weak, and therefore able neither by the ballot nor by warfare in the customary modes to extort justice from their enemies. But though their reasoning is fallacious, there is a dangerous fascination in it for ignorance suffering under oppression, since it seems to promise at once justice and relief. And, in relation to their practical methods, though the existence of grievous error may be suspected, the coolest judgment may be so confounded by the apparent success attending some of their crimes,

as in the case of the dynamitards, that it is half persuaded to attribute to fear what may be due mainly to an awakened sense of justice in the hearts of their oppressors. Society, therefore, is compelled to discuss this, the most burning question of our time. In what ways shall weakness be permitted to make war upon superior strength? The question may relate to either offensive or defensive warfare. If attacked, doubtless weakness may employ any arms or any methods of warfare strictly necessary to self-defense. On the other hand, if the attacking party, it may use in open warfare in the field any arms whatever adapted to that purpose. So, no methods of conducting war could be interdicted to it so long as they were confined to the open destruction of opposing armaments, or to the crippling of the power or resources of its enemy. But the poisoning of wells has ever been forbidden, because to permit it in order to kill a belligerent would be to endanger alike friends and foes, innocent and guilty. Private assassination has never been permitted, even to the soldier, but only to destroy his enemy in battle. When such rules are observed, a battle is a trial in which there is fairness, if not equality. The peril is understood, and is of the same nature to each; the chances of favorable fortune not always unequal. This is honorable warfare, even where one party is numerically much superior to the other. How different the method of the assassin. There may be a so-called trial, but the accused is not present; he is not represented by counsel; there is no testimony in his defense; the accusing witness, the jury, the judge, and the executioner are one and the same person, and he is an enemy; the sentence is secret, and is executed in the dark. And the worst feature of the case is that the best men, innocent of wrong, may be the victims of the most despicable of mankind. Neither strength nor goodness is any protection from the assassin's knife. By the universal *consensus* of civilized men, therefore, it ought to be declared that his methods of warfare shall not be practiced. But if he will employ them, how prevent it? It is as impossible to refute an assassin as it is to refute a sneer; for it is less argument that leads him to slay than a murderous instinct, like that which inspires the viper. Like the viper, therefore, he must be stamped out. And yet refutation should not be omitted — refutation of the social theories on which his fatal methods are based, and of the perverted moral reasoning, the wicked casuistry, out of which they proceed. But

having exhausted this resource, let it be supplemented by proscription of the assassin as an enemy of the human race. It is doubtful even if there should not in this case be made an exception to the freedom of speech. What society permits to be advocated it pronounces to be at least a fair subject of debate, and not, under all circumstances, criminal and wicked. Civilization will be safe only when there are in the world no more such fanatics of crime.

A word, now, as to the perils which threaten us in connection with the marriage relation. The evil referred to is only one of a multitude that flow from the same source,— a general letting down of public sentiment in regard to the sanctity of marriage. While the Protestant view, that marriage is a civil contract and not a sacrament, has doubtless a basis of truth, it is not the whole truth. Marriage is a civil contract and a great deal more; it is the creation of a *status* the most sacred and the most important known to the law or to human life. Regarded merely as a contract, it is natural to conclude that it may be lightly dissolved; and, in fact, from precisely such a conclusion flows the disastrous flood of divorces that is overwhelming our Protestant communities. Far better than this would it be if the inflexible rule of the Roman Church were adopted and enforced. And one hazards little in predicting that, for the salvation of society, such must be the result, unless there shall be restored to the *status* of marriage something of the solemnity and sacredness imputed to it by that church. It is needless to multiply words. Our divorce and marriage laws must be revised, made uniform and more strict, and be rigidly enforced, or the disorganization of society now threatened by the increased loosening of the marital ties will become complete. So long as marriage is regarded as a mere civil contract, its higher purpose, the rearing of offspring, will be overlooked; its baser uses alone will be esteemed until, finally, whatever stands in the way of these will, at any cost, be removed. It must be admitted, however, that while the law, if amended and more strictly enforced, will do something, it cannot alone reach the inmost seat of the evil, in the perverted sentiment of the public in regard to marriage. Since this sentiment rests not so much upon errors in reasoning as upon corrupt inclinations, logic or legal interdict can do little to correct it. To that, perhaps, religion alone is equal. And we cannot better close than by stating our conviction, that for the

saving of civilization from the destruction threatening it, as well from the prevalence of crime and social immorality as from the thickening dangers of industrial discontent and conflict, religion is the most effective instrumentality; not the religion that builds temples from which it excludes the poor; not the religion which shoots philosophical treatises from its pulpits over the heads of those who most need its consolations in the condition of social contempt and proscription in which they are held; but the religion which reaches its hand to the plain men and women who form the bulk of our race and do its work; which wins, instead of repelling them, and which shows itself the friend and minister of the toiling millions rather than of the millionaires who build its palaces; the religion, in short, in which there is little of Augustine and Calvin, and much of Jesus.

JOHN A. JAMESON.

THE DEVELOPMENT OF RELIGIOUS FREEDOM.

It is as clear as the sun, and is now universally admitted, except by the blind, that religious persecution is opposed to the teaching and example of the Founder of Christianity. He came to save the world, not to destroy it. He summed up the whole law in supreme love to God and love to our fellow-men. He declared that his kingdom is not of this world. He rebuked the hasty Peter for using the sword even in defense of his Master; and he preferred to suffer and to die rather than to call the angels of God to aid against his enemies. His apostles spread the gospel by spiritual means, and condemned all carnal weapons. For three hundred years Christianity spread, and triumphed at last by the force of truth and a holy life; the Church suffered persecution from Jews and Gentiles, but never persecuted as long as she was true to the example of her Head, who won the crown by his cross. She retained in the darkest of the Dark Ages a remembrance of this Christ-like position in the principle: *Ecclesia non sitit sanguinem.*

Persecution dates from the union of church and state, and is of essentially heathen origin. That union was the source of much good and of much evil. When Constantine the Great espoused the cause of Christianity, he transferred his power as high-priest of the state religion to his new position as the temporal head of the Church. The Christian emperors now persecuted the heathen religion as the pagan emperors had persecuted the Christian religion. Not only so, but they persecuted also every departure from the established orthodox creed; they recognized but one legitimate form of Christianity, which was represented by the Catholic Church, and they treated every heresy and schism as a crime against the state. In this attitude they were aided by the theological dogma framed by the fathers, of the exclusiveness of the Catholic Church, which they confounded

with the kingdom of God, out of which there is no salvation. The imperial legislation from Constantine the Great to Justinian is filled with penal laws against Arians, Donatists, Manichæans, Gnostics, Montanists, Quartodecimans, Novatians, Apollinarians, Nestorians, Eutychians, and all other sects that dissented from the dogmas and canons of the ruling state Church, and who were punished as enemies of society with deposition, banishment, and even with death. These laws were incorporated in the Justinian code, which was gradually adopted, together with the canon law, all over the continent of Europe. Rome ruled once more by law as she had so long ruled by the sword, and ruled over the children of those barbarians who had broken up her empire.

England alone, favored by her isolation and protected by the surrounding sea, resisted the introduction of the Roman civil law and the canon law; she preferred her own customs, inherited from Anglo-Saxon times, and built on them her common law (or *lex non scripta)* and her statute law (or *lex scripta).* But as to her religion, England was as thoroughly Catholic, and even Roman Catholic, as any country on the Continent. The first Archbishop of Canterbury, St. Augustine, who was sent by Pope Gregory I. to convert the Anglo-Saxons, could not tolerate the older and more independent Christianity of the Britons, which was driven to the mountains of Wales. The statute on the burning of heretics was in force even to the times of Queen Elizabeth and King James. Wiclif escaped persecution during his life, but was not spared after his death, and the Council of Constance, which burned Huss and Jerome of Prague as heretics, condemned Wiclif and his writings to the flames; whereupon his remains were solemnly ungraved, burned to ashes, and cast into the brook Swift, which (as Fuller says) "conveyed them into the Avon, Avon into Severn, Severn into the narrow seas, they into the main ocean; and thus the ashes of Wiclif are the emblem of his doctrine, which now is dispersed all the world over." Five hundred years after the completion of Wiclif's Bible translation his memory was celebrated in five continents. What a change!

The mediæval persecution reached its height in the crusades against the Waldenses and Albigenses, in France, and in the Inquisition of Spain. Both were ecclesiastico-political. The Church defined and condemned the heresy, and the State punished it by the sword, using carnal force against spiritual

offenses. The Spanish Inquisition was instituted by Ferdinand and Isabella, with the express sanction of the Pope, for ridding the state of all enemies, Moors, Jews, and heretics. It is stated that during the first twenty years of its existence, from A. D. 1478 to 1498, when the terrible Inquisitor-General Torquemada resigned his office, over 8080 persons were burned alive, 6500 in effigy, and 90,004 punished in other ways. The sum total of persons condemned to death by the Spanish Inquisition during the 330 years of its existence (from 1478 to 1808) is stated to be 30,000. Roman Catholic writers, like Balmez and Hefele (the latter in his work on Cardinal Ximenes, the third inquisitor-general), in defense of the institution, question the figures of Llorente (who, however, was a Spanish priest and secretary of the Inquisition from 1789–1791), and claim for the Inquisition as a good result that it saved Spain from the horrors of religious wars, which would have cost far more victims, and might have ruined the country. But the peace of a grave-yard is much worse than war. France, Holland, Germany, and England have all passed through the ordeal of religious wars, and left Spain, once the proudest monarchy of Europe, far behind in everything that makes up the glory of a nation.

The Reformation of the sixteenth century was the grandest movement in history since the introduction of Christianity, and carried in it the modern principles of religious and civil liberty. But at first it was simply an emancipation from the thraldom of Popery, which, from being a school-master of the barbarous nations of Europe, had become an intolerable tyrant. The Reformers had no idea of religious freedom beyond their own creed, nor of a separation between the church and the state. They were intensely convinced of the scriptural truthfulness of their views, and deemed it right and proper to deny to others the right of dissent which they claimed and exercised for themselves. They appealed to the civil magistrate for the support of the new churches and the suppression of heresy. The Lutheran princes in Germany and Scandinavia acted on the principle *Cujus regio ejus religio*, and made themselves supreme bishops or little popes in their territories. The republican magistrates of Zurich, Bern, Basel, Geneva, and other Swiss cantons, did the same. In England this principle was carried to the extreme of Erastianism. Henry VIII. simply cut off the Roman head from the English hierarchy and put his own crown on the bloody

trunk. He called himself the "supreme head" of the Church of England, and his daughter Elizabeth, being a woman, only softened it into "supreme governor." Anabaptists and Socinians were persecuted in Protestant as well as in Roman Catholic countries. The only difference is in the extent of persecution and the degree of severity, in which Romanism has an unenviable preëminence, because it had more power and once ruled supreme in Europe.

Calvin consented to the burning of Servetus, by the civil authorities of Geneva, for denying the trinity and the divinity of Christ, though he had begged the magistrate in vain to mitigate the punishment by substituting the sword for the fagot. The burning was fully justified by all the surviving reformers, Farel, Beza, Bucer, Bullinger (Zwingli's successor in Zurich), and the mild and gentle Melanchthon. Beza called liberty of conscience a diabolical dogma. Castellio, once a friend, then an enemy of Calvin, and expelled from Geneva, was the only Protestant of that age who denounced the execution; and he did it for the rationalistic reason that errors on speculative doctrines, as the trinity, predestination, etc., which are impenetrably obscure, have no influence on morals, and are therefore innocent. Luther and Zwingli, who had died long before that tragedy in Geneva, might possibly have disapproved of its severity in obedience to their liberal instincts. Luther once made the excellent remark that if heretics were to be burned the hangman would be the best theologian; but Luther would not have tolerated Zwingli or Œcolampadius in Saxony, whom he refused to acknowledge as brethren at Marburg, though they agreed in fourteen out of fifteen articles of doctrine, and differed only on the mode of Christ's presence in the eucharist. The Melanchthonians (or Philippists), Krypto-Calvinists, and all professors, clergymen, and school-teachers who would not subscribe to the Formula Concordiæ of 1577, lost their places in Saxony; and Chancellor Nicholas Crell, who had supported Calvinism, was, after ten years imprisonment, beheaded at Dresden as a traitor (1601). "Since that time the name of a Calvinist became more hateful in Saxony than that of a Jew or Mohammedan." In Scandinavian countries, till within the memory of men now living, Lutherans only were allowed the privilege of public worship and the rights of citizenship. In England, the penal laws, enacted under Queen Elizabeth, were a systematic attempt to uproot every form of dissent,

whether Roman Catholic or Protestant, and were carried out with cruel severity. John Knox declared that one Popish mass in Scotland was more obnoxious and dangerous than a French army of invasion. Archbishop Laud was as bigoted and intolerant as any Inquisitor in Spain. The Puritan Assembly of Westminster expelled two thousand beneficed Episcopal clergymen, and Charles II. on his restoration took double vengeance on the Non-conformists in England and the Covenanters of Scotland. Cromwell was the most tolerant of the statesmen of the seventeenth century, but even he exempted "Popery and Prelacy" from his scheme of toleration. Milton, the most eloquent advocate of liberty in the English tongue, made the same exception. Baxter was comparatively liberal, yet he pronounced universal toleration to be "soul-murder," and "the way to man's damnation." Jeremy Taylor, when in exile, eloquently defended the principle of toleration in his "Liberty of Prophesying," but abandoned it when the Episcopal Church regained her power, and apologized for the publication of that book.

Nor is our own America free from the reproach of persecution. The first English settlers fled from persecution in their native land, and sought freedom of worship for themselves, but for themselves only. With the exception of the Baptist colony of Rhode Island, the Quaker colony of Pennsylvania, and the Catholic colony of Maryland (in its earliest stage), the principle of state churchism was as fully recognized and established in our colonial period as in England. Congregationalism was the established Church in Massachusetts and nearly all New England; Episcopacy in Virginia, the Carolinas, and New York. There was a time when dissenters were fined, imprisoned, exiled, and even hanged for religious opinions, to the extent of the power of the civil authorities of our free country, even in the enlightened State of Massachusetts, and such persecution was justified on the basis of the union of church and state.

Wherever this principle is acknowledged and established, persecution becomes even a duty of conscientious rulers. The worst persecutors among the Roman emperors (with the exception of Nero, who persecuted the Christians, not for religion, but on the false charge of incendiarism) were influenced by motives of patriotism and duty to the integrity of the ancestral religion, and are numbered among the best emperors — Trajan, Marcus Aurelius, Decius, Diocletian, and Julian. And so we

must dismiss the idea that every Christian persecutor is necessarily a bad man. The great and good St. Augustine was the first among the fathers who formulated the very principle of persecution by his famous misinterpretation of "Compel them to enter in."* Innocent III., who inspired the horrible crusade against the Albigenses and Waldenses, was one of the purest, as well as ablest, among popes. Cardinal Ximenes, the Inquisitor-General of Spain, is the originator of the first Polyglot Bible, now one of the rarest and costliest books. Calvin, who burned Servetus, is not only the greatest theologian among the Reformers, but surpassed them all in zeal for purity of doctrine and holiness of life. Lecky, who abhors persecution, fully acknowledges this fact, and goes so far as to say (in his able "History of Rationalism in Europe," vol. I., pp. 353, 354):

"The burnings, the tortures, the imprisonments, the confiscations, the disabilities, the long wars, and still longer animosities, that for so many centuries marked the conflicts of great theological bodies, are chiefly due to men whose lives were spent in absolute devotion to what they believed to be true, and whose characters have passed unscathed through the most hostile and searching criticism. In their worst acts the persecutors were but the exponents and representatives of the wishes of a large section of the community, and that section was commonly the most earnest and the most unselfish. It has been observed, too, since the subject has been investigated with a passionless judgment, that persecution invariably accompanied the realization of a particular class of doctrines, fluctuated with their fluctuations, and may therefore be fairly presumed to represent their action upon life."

Lecky derives religious persecution from the intensity of religious conviction, and the belief that there is no salvation beyond the limits of a certain system of orthodoxy. But here we must decidedly dissent from him. That the degree of ear-

* Lecky says ("Hist. of Rationalism in Europe," vol. ii., p. 28): "The writer, who was destined to consolidate the whole system of persecution, to furnish the arguments of all its later defenders, and to give to it the sanction of a name that long silenced every pleading of mercy and became the glory and the watch-word of every persecutor, was unquestionably Augustin, on whom, more than any other theologian,—more perhaps even than on Dominic and Innocent,—rests the responsibility of this fearful curse." In his earlier writings Augustin condemned persecution, but he changed his view during the Donatist controversy, and retracted his condemnation in his Retractations. Although he had himself been a Manichæan heretic, he considered heresy the greatest crime. It must be added, however, that his heart did not sympathize with his head, and that he exerted his influence to change the death-penalty into banishment.

nestness and exclusiveness of belief determines the degree of severity of persecution, we admit; but we utterly deny that orthodoxy in any shape is necessarily persecuting. Otherwise, Christ and the apostles would have been the greatest persecutors, at least in principle, as they could not be in fact. Religious convictions were as deep and strong in the first three centuries, when orthodox Christians suffered from persecution, as in the Middle Ages, when orthodox Christians persecuted Jews, heretics, and infidels. There are now in America plenty of Catholics, Episcopalians, Congregationalists, Presbyterians, Lutherans, who are as orthodox, as sincere, as earnest, even as exclusive in their theological opinions, as their ancestors, and who yet utterly disavow their persecuting principles and practices. They all profess the opposite principle of toleration and freedom.

We maintain, then, that persecution is consistent with, and inseparable from, the union of church and state; while religious freedom is the inevitable result of a peaceful separation of the two. Church and state are as distinct as soul and body, as eternity and time. The state represents the law, protects life, property, and all the rights of citizens; it promotes their temporal welfare, and enforces its authority by temporal rewards and temporal punishments. The church represents the gospel, promotes the spiritual and eternal welfare of man, and deals with spiritual rewards and spiritual punishments. The state is intrusted with the sword for the punishment of evil-doers. The church exercises discipline by admonition, deposition, and excommunication; and these punishments are simply remedial, and look toward repentance and restoration. Civil punishment for civil offenses; spiritual punishment for spiritual offenses.

The founder of the Christian religion settled the question of principle in a few words, the wisest ever uttered in answer to an entangling question: "Render to Cæsar the things that are Cæsar's, and render to God the things that are God's." Here is separation of church and state, not as two hostile forces, but as two legitimate institutions equally necessary for society and entitled to our loyalty and obedience. The celebrated Leopold Ranke, who, as a youthful octogenarian, is publishing a history of the world, declares in the third part (1883), where he reverently touches upon the origin of Christianity, the sentence just quoted to be "the most important and influential word of

Christ," and adds: "Jesus saw in religion a sacred jewel of man which can and ought not to be darkened by any political addition or interference."

This is, we may say, the American idea of religion, and the sense of the article in our Constitution which forbids Congress to legislate on the subject of religion, or to prohibit the free exercise thereof. We make a distinction between religious toleration and religious liberty. Toleration is an expedient and a concession; liberty is a principle and a right. We tolerate what we cannot prevent, though we may hate it; we tolerate even a nuisance, if it is unavoidable. The government of the Sultan tolerates the Christian sects, though every Turk despises the Christian "dogs," and would kill them all if he could. But religion is the most sacred possession of man; it belongs to his inmost soul; it connects him with his Maker; it inspires him to do good; it enables him to suffer wrong; it fortifies him against danger and temptation; it cheers and comforts him in affliction; it dispels the darkness of death by opening the vision of an endless life beyond. It is too sacred to be dragged into the arena of politics. Freedom of religion, like freedom of thought and of speech and of the press, is one of the inalienable rights of man, and it is the most valuable and fundamental of these rights, which the Government is bound to protect like every other right, and which it ought never to curtail or oppress. Freedom, of course, is limited by duty to our fellow-men. No one has a right to interfere with the freedom of his neighbor. The Government, in guarding and protecting the liberty of all, cannot allow any one to abridge the liberty of others, or to endanger the peace and order of the community. All Christian denominations and sects (with the exception, perhaps, of Mormonism) have proved not only consistent with, but actually favorable to the preservation and promotion of the national peace and welfare.

This theory is as old as Christianity itself. It entered into the world and fought its way through a hostile world by the purely moral force of truth and righteousness. Tertullian, in the second century, gave vigorous utterance to this view when he boldly challenged the heathen persecutor, and told him: "It is no part of religion to force religion *(nec religionis est cogere religionem)*; everybody has a natural right and power to wor-

ship God according to his conviction; all compulsion in matters of conscience is wrong, and no form of worship has any value whatever, except as far as it is the voluntary homage of the heart."* Lactantius also, a contemporary of Constantine, and tutor of his son Crispus, condemned persecution in the strongest terms, which he never recalled. "Religion," he says, "is the most voluntary thing *(nihil est tam voluntarium quam religio)*; when the mind and heart are not in it, it ceases to be religion."† Even Constantine himself at first, after his victory over Maxentius at the Milvian Bridge, which decided the downfall of idolatry and the triumph of Christianity, proclaimed the policy of toleration to all religions of the empire (A. D. 313). The decree gives both to Christians and all others the right to follow whatever religion they please *("et Christianis et omnibus potestatem sequendi religionem quam quisque voluisset")*. But this was merely a temporary policy to pave the way for the introduction of Christianity as the state religion, and this, of necessity, involved the gradual suppression of paganism. The instinct and tradition of power in the head of the Roman empire was too strong to abandon the prerogative of a supervision of public worship.

Nevertheless, the voice of liberty and the protest against persecution was never silent. Every persecuted sect in the church became a witness for toleration and for the sacred rights of conscience. The blood of martyrs became the seed of religious liberty.

We cannot trace the history of liberty through the Middle Ages and modern times, but we may indicate briefly the most salient points. The battle was fought chiefly in England. The Reformation broke down the tyranny of the papacy. The Puritan rebellion revolted against the semi-popery of Archbishop Laud and the Stuart dynasty. The restoration of episcopacy and royalty, under Charles II., apparently destroyed all that had been gained, but by its own folly provoked the Revolution of 1688, with the Act of Toleration (1689). This, for the first time, gave a breathing-spell to non-conformists, and allowed them to organize separate self-supporting and self-governing churches, though with certain restrictions, as the subscription

**Ad. Scapulam*, c. 2; *Apol.* c. 24. †*Inst. div.*, V. 20.

of thirty-six out of the thirty-nine Articles of the Church of England.*

From that time dates the division of English Christianity into several distinct and independent organizations, which had previously existed only as parties struggling for recognition. The same toleration was gradually extended to Unitarians, Roman Catholics, and Jews, who may now sit in Parliament, and occupy all but a few of the highest offices of the government. To all intents and purposes, the subjects of Queen Victoria enjoy as much religious liberty as the citizens of the United States. Nevertheless, England still holds to the principle of establishment, and distinguishes between the national church and the dissenting sects; or rather she recognizes two ecclesiastical establishments, episcopacy in England, and presbytery in Scotland, the Queen being the supreme governor of both, and taking the holy communion from an Anglican bishop when in England, and from a Presbyterian pastor when in Scotland. Episcopalians are dissenters in Scotland; Presbyterians are dissenters in England. This is a curious anomaly, which is not likely to outlast the present century. The experience in Ireland and the United States proves that neither the Episcopal Church in England, nor the Presbyterian Church in Scotland, is likely to loose anything in moral and spiritual force by being disestablished and placed on the voluntary principle of self-support and self-government.

The United States made an important step beyond England to the full recognition of religious liberty, and equality of all churches and sects within the limits of public morality and order. This was evidently the providential aim of the settlement of the country by colonists from all nations and churches of Europe, seeking freedom from persecution for the sake of their religious convictions. Puritans, Quakers, and Catholics from England, Presbyterians from Scotland and Ireland, Huguenots from France, Lutherans from Salzburg, German

* The Act (1 William and Mary, c. 18), designated "An Act for Exempting their Majesties' Protestant subjects Dissenting from the Church of England from the Penalties of certain Laws," does not relax the provisions of the Corporation and Test Acts, and excludes Roman Catholics and Unitarians; it requires from all dissenting preachers an approval of the thirty-six doctrinal articles, but allows them on this condition to hold assemblies for religious worship with open doors, and permits the Quakers in certain cases to substitute an affirmation for an oath. It is very far, therefore, from the modern theory of religious freedom.

Reformed from the Palatinate, fled from persecution or vexation to this country to worship God according to the dictates of their consciences; while Episcopalians, Dutch Reformed, and other colonists, who were not molested at home, set up their churches. Several of the colonies, especially Massachusetts and Virginia, were at first exclusive in their policy, but they were forced to yield to circumstances, and to make concessions to the growing number of Dissenters in their jurisdiction. The battle began in Virginia with the Revolution and Declaration of Independence; and by the combined influence of Dissenters (Presbyterians, Baptists, Quakers, Methodists), of liberal Episcopalians, and the Deistic Jefferson (who fought for freedom of unbelief), the Episcopal establishment was sacrificed to the principle of equal justice to all, and the separation of church and state was carried through the Virginia Legislature in successive acts from 1776 to 1785.

The General Government was inevitably led to the same position from the beginning of its existence. It never had any connection with a church, and hence found no rights which might be violated. It arose from a combined effort of all the colonies for political independence, and the establishment of a separate nationality. Religious motives and aims did not enter into the contest at all, but members of all denominations took part in it. Hence, the only way for the framers of the Federal Constitution, after the close of the war, was either to ignore religion altogther, or more wisely, to guarantee full religious liberty to all American citizens within the jurisdiction of the United States. The latter was done in justice to the people. The Constitution, adopted under Washington in 1787, provides (Act VI., section 3) that "No religious tests shall ever be required as a qualification to any office or public trust under the United States." And to make the matter more plain and emphatic, the first amendment to the Constitution, enacted by the first Congress in 1789, declares:

> "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or abridging the freedom of the press, or of the rights of the people peaceably to assemble, and to petition the Government for a redress of grievances."

This important amendment which was suggested by several State legislatures in the interest of religious liberty, has a nega-

tive and a positive feature: it prevents Congress from ever recognizing one religion or church to the exclusion of the rest, and thus effectually prevents persecution; but it secures equal liberty to all churches and sects. It puts religion on a par with other fundamental and inalienable rights of man. Congress was not influenced by the spirit of infidelity or even indifference, like the French Revolution, which began with proclaiming universal toleration and ended with the abolition of Christianity; but, on the contrary, it was animated by respect for religion as a domain which belongs to the Lord of conscience and lies beyond the competency of political rulers. This difference accounts in large measure for the fact that the French Republic failed, while the American Republic succeeded. Religious liberty is the best, yea, the only safe basis of civil liberty. Church and state were not set opposite to each other as foes, but side by side, as two different spheres of the social life, in the conviction that each had best restrict its jurisdiction to its own immediate concerns, because the attempt of one to rule the other was sure to issue disastrously. The power of the state is consequently, in the United States, reduced to narrower limits than in Europe, where it controls the church also. The American status of the church differs from the hierarchical patronage of the state by the church, from the imperial and royal patronage of the church by the state, and also from the pre-Constantinian separation and persecution of the church by the heathen state. The United States present a new phase in the history of the relation of the two powers.

This separation between church and state is not to be understood as a separation of the nation from Christianity, for the state represents, in America, only the temporal interests of the people. The independent churches care for the religious and moral interests; and the people are religious and Christian as much as any other, and express their sentiments in different ways,—by the voluntary support of their numerous churches, by benevolent organizations of every kind, by attendance upon public worship and respect for the ministry (who are second to none in dignity and influence), by a strict observance of Sunday (which is not equaled elsewhere, except in Scotland), by constant zeal for home and foreign missions, by reverence for the Bible, by a steady stream of edifying books, tracts, and periodicals, and by their public morals. Congress nominates chaplains of dif-

ferent confessions and opens every sitting with prayer. The President appoints chaplains for the army and navy. Fast-days have been frequently observed in particular emergencies, as in 1849, during the cholera; in 1865, on the assassination of President Lincoln; and in 1881, on the death of President Garfield. A Thanksgiving-day is yearly celebrated in November in all the States, on the proclamation of the President and the concurrent action of the different governors. Indeed, religion, it may be justly claimed, has all the more hold upon the American character, just because it is left to the personal conviction and free choice of every man.

Religion thrives best in the atmosphere of freedom. This is the lesson of American Church history.

PHILIP SCHAFF.

25

CHANGES IN THE CLIMATE OF NORTH AMERICA.

WHEN the first Romans visited the coasts of Great Britain they were amazed at the violence of the tidal waves and their evident independence of atmospheric disturbances. "Portentous billows suddenly assail the shore," says Pliny, "and often during a perfect calm." With a similar degree of wonder and dismay the first colonists of the New World must have experienced the vicissitudes of the North American climate. Emigrants who attempted to settle in the latitude of southern France returned with frozen noses. In Ohio, where the thermometer sinks to 25° below zero, Taine's Farmer Graindorge drives his hogs through "palm-groves resounding with the screams of countless parrots." Palms thrive pretty well at Genoa, four hundred miles further north than Cincinnati. Fishing-smacks coasting along the south shore of Lake Superior in May often encounter ice-floes a hundred feet long, and thick enough to endanger the timbers of a steamer. To the natives of southern Europe there is something abnormal in this combination of high icebergs and low latitudes. A Spanish surveyor whom I met in Colorado last winter was so puzzled by the eccentricities of the weather that he suspected a mistake in the computed altitude of the country. Denver, he thought, must be at least ten thousand feet above the level of the sea.

And yet a North American Indian visiting Spain in midsummer would have far better reasons for complaining about the grievances of an unnatural climate. The truth is, that the meteorological conditions of our country prevailed under nearly the same latitudes of the Old World before its climate was modified by the progress of agriculture and the clearing of vast woodlands, and it is not less certain that the action of similar causes has begun to change the climate of the United

States. The calorific influence of the Gulf Stream is generally overrated. When both Europe and North America were covered with continuous forests, the east shores of the Atlantic had the advantage of milder winters, but their summers were neither warmer nor dryer than ours. On the contrary, the seven sea-girt peninsulas of Europe enjoyed the benefits of a maritime climate; droughts were so rare that their occasional occurrence was considered a portent; deserts, in the present sense of the word, were confined to Araby and central Africa. Northern Africa not only produced food enough for her own teeming population, but was the granary of the Orbis Romanus, an inexhaustible store-house of oil, wine, and wheat. Where now the oven-breath of the Harmattan sears the naked hills of Tunis, orchards, alternating with shady forests, once covered an extent of country which, in spite of frequent hunting expeditions, was to its Roman conquerors still a sylvan *terra incognita*, and in no sense an undesirable country, judging from the subsequent fierce contests for its possession. In eastern Algiers, the ancient Cyrenaica, De Baudin recorded 128° in the shade for eighteen successive days. The climate of the whole country must have become about thirty degrees warmer; that of southern and central Europe at least twenty degrees. In the time of Xenophon, Greece had harder winters than modern Dalmatia; on the expedition against Corcyra, Socrates marched barefoot through the deep snow to silence the effeminate complaints of his young companions. Cyrus the Great used to pass seven months of every year at Babylon in the Euphrates valley, a "region of perpetual spring," as his biographer calls it, in the same valley where the dog-star now seems to rage perennially. Several poets mention the "snowy summit of Mount Soracte," a south Italian mountain of very moderate elevation. Tacitus speaks of frozen lakes in northern Italy, and his description of the German woodlands, "horrid with frost," would have answered the present state of affairs in northern Canada. Asia Minor has become the epitome of a dying continent. In Spain the agricultural value of the lowlands, which once attracted the Visigoths from their Danubian homes, has been reduced by more than eighty per cent. From Suez to Gibraltar the coast lands of the Mediterranean have wasted away in a decline, which seems to be the ultimate fate of all civilized countries. The burning drift-sand of the desert is perhaps the Wad-el-Har of

the Koran, the fire-sea, which is destined to engulf all things at the end of time. Planets die by desiccation.

And there is no doubt that the hectic glow of that malady begins to be felt in the lands of the western hemisphere. Our civilization is but of yesterday, compared with that of the Mediterranean nations; but ours is an age of rapid transits. The ancients traveled the same road, but at a slower pace. They, too, thought to improve their lands by the wholesale destruction of their woods; like our Southern planters, they saw the direct benefits of agriculture, and ignored the climatic influence of forest-vegetation; but they had no steam-saws, no wood-devouring railroads, and even cottages were mostly built of stone. In two centuries the lumbermen of the United States have killed as many trees as the inhabitants of southern Europe felled in the two thousand years between the foundation of Rome and the conquest of Granada. The same causes begin to produce the same effect. Only six months ago the Boston papers called attention to the gradual shrinking of the water-courses which once turned the mill-wheels of the New England manufacturing towns, and gave a long list of factories which had once a surplus of water-power, but have now to depend on steam. Many tributary brooks of the Connecticut River not only shrink, but disappear in midsummer. In southern Virginia, and the midland counties of North Carolina, Georgia, and Alabama, the owner of a perennial spring has become an object of envy. The first settlers of the "Blue Grass Region" would not recognize it in the present colors of its sere and dusty summer dress. Next to the mesquite grass of the Texas table-lands, cotton can perhaps stand more dry weather than any other plant of the temperate zone, and the staple industry of the South has managed to hold its own; but even cotton-planters admit, with some uneasiness, that the droughts of the last ten years are unprecedented, and that the average dryness of the summer season is steadily increasing.* Toward the end of summer the citizens of Tuscaloosa, Ala., and the neighboring towns are often worried by the temperature of a home-made *harmattan*,—a dry south-east

* The drought of 1881 seemed unparalleled, but in several of the Southern States it was surpassed by that of last summer, and the Alabama and several North-Georgian rivers were lower than they were ever known to be since their valleys were settled by European colonists. At Lula, Georgia, twenty miles east of Gainesville, the drought lasted from May 22d to November 3d.

wind that makes the hills hazy and the streets dusty-hot. It comes from the interior of the "cotton counties," where thousands of old fields have been worn out and abandoned, till the weather has furrowed them with deep, arid gullies.

The desiccation of a de-forested country always begins in the lowlands. When the vegas of southern Spain had become dismal sand-fields, the Sierras were still green with their primeval forests; now they are as barren as the plains. Our floor is afire: shall we stand by and trust the safety of our house to the intervention of a miraculous Providence? Since the beginning of our chronological era, the nations of the Caucasian and Semitic races have probably spent a thousand billion dollars, and written a million books, to prepare for the future in *Niffelheim*, the cloudland of their various hyperphysics. Would it not be as well to bestow a little thought on the less unknowable future of our own earth? If we continue to tread the beaten road, we can no longer plead ignorance of its goal. Whenever a progressive phenomenon is traced to a known cause, the veil of the future becomes transparent: the fate of Asia Minor is a lesson which has been repeated too often to be misunderstood, and the impending changes in the physical geography of our continent can be predicted from unmistakable analogies. In the Gila valley the improvidence of a prehistoric race has already begun to Africanize our compact continent, and if the same agencies continue to modify the climate of the Atlantic slope, our cotton states will, in fifty years from now, be reduced to the necessity of raising their crops by the aid of irrigation. The locust will ravage the plains of the Gulf coast. Agriculture will invade the highland valleys of the Alleghanies. The soil of the mountain-slopes, stripped of their forests, will be washed away by winter rains and thawing snows. Rivers will shrink to brooks in summer, but flood their valleys in spring; Louisiana and southern Arkansas will be inundated as regularly as Egypt; and at the mouth of the Mississippi the deposits of river-sediment will keep a host of dredge-boats busy. Droughts will depopulate the sandy central plateau of the Gulf states. General Hazen has proved that an enormous area of the great North-west will repay the toil of tillage only in exceptional years, and that its average summer climate always touches the limits of withering aridity. After the clearing of the few remaining areas of woodland, the climate will pass those limits, and in the "granary

of the West," too, agriculture will be confined to the irrigable valleys of the large streams. Those valleys, the river-estuaries and the foothill-regions of the higher mountain ranges, will be studded with large cities. Before the middle of the next century the present territory of the United States will have two hundred million inhabitants. As in England, the abundance of coal and iron, and the enormously increased price of good farming-land will drive thousands of farmers into the factory towns; but the evils of industrial over-production will, in turn, stimulate the search for new homes, till the nooks of the remotest highland valleys have shared the fate of the wasted plains.

Then, and perhaps not till then, will come the reaction. Confronted with the alternative of reform or death by starvation, man, the destroyer, will become a reconstructor, and redeem the earth by forest-culture. A time will come when the great secret of this planet, the genesis of the desert, almost equivalent to the exegesis of evil, will become a familiar fact. That time will form a turning-point in the physical history of our earth. At first, though, the urgency of his direct needs will oblige the tree-planter to discriminate in favor of fruit-trees.

The starving farmer of the Old World takes refuge in emigration; but when the exhaustion of the West American and Australian soil shall leave us no New World to fall back upon, when all the arable land from Maine to California shall produce its utmost, and yet insufficient crops, the significance of the *hic aut nusquam* will be brought home to the nonplussed cultivator, and necessity will enforce the earth-transforming rule that in an over-populated land of limited agricultural resources herbs and cereals must give way to arboreal plants. An acre of ground planted with bananas will feed as many persons as thirty* acres of the best potatoes or twenty-five acres of wheat. In many parts of southern Europe the chestnut is the bread-plant. Of a most prolific variety which is cultivated in the highlands of the Apennines, and would thrive as far north as Connecticut, a single tree often produces several thousand sweet and mealy half-ounce nuts, which the Italians grind like corn, and use for various palatable farinaceous preparations, in nutritive value far superior to the potato and rye-bread diet of their northern neighbors. Xenophon mentions the "chestnut-fed

* Humboldt says even forty-four, but the improved methods of culture have since developed more prolific varieties, both of the sweet and "Irish" potato.

children" of the Bythinian mountaineers,—"boys as broad as they were long." Olive-trees live six centuries, and after the tenth year an olive-garden produces fourteen times as much oil as the same area of any annual plant. The same holds good of the northern beech and the arborescent hazelnut. The prolific Turkish sugar-plum thrives on soil where neither sugar-cane nor sorghum would grow. *Baum-wolle*, the German word for cotton, means literally *tree-wool*, and several tropical trees, especially the *bombacea*, could furnish that material in every desired quantity. Bombax-wool is almost as fine and strong as silk, and the length of the fiber might be improved by cultivation.

Extensive tree-plantations, though at first perhaps dependent on irrigation, would soon begin to generate their own rain, and modify the climate of the surrounding country. In a previous paper I have pointed out the physiological *rationale* of that influence; its practical results can be seen in the replanted coast woods of western France and in all highlands that have preserved their mountain forests in the midst of a treeless region, as in the Caucasus, in the Black Hills of Dakota, and the forest districts of the southern Balkan. And arboriculture would improve the social as well as the physical climate. The same plantations that will restore the moisture of our atmosphere lessen the toil of the husbandman. Cereals and hundreds of herbs have to be replanted, recultivated, and refertilized year after year, and nearly all the products of that infinite labor could be derived from trees that not only take care of themselves, but improve with every season and enrich the soil by the fertilizing influence of their falling leaves.

Orchards, therefore, will probably open the campaign against the desert, and forest trees will be added only to utilize the soil of the northern mountain regions. It is doubtful if the projects of the forestry movement will be seconded by our country population till the advantages of tree-culture shall be brought home to them by the logic of absolute necessity. But in one respect, at least, the folly of forest destruction has already begun to demonstrate its perils with sufficient impressiveness to insure the popularity of remedial measures. I refer to the danger of winter floods. The Emperor Julian, who commanded the legions of Gaul for a number of years, states that the valley of the Seine was at that time entirely exempt from inundations. "Qualis aestate, talis esse solet hieme," he adds, in speaking of a river whose level varies now more than thirty feet! The same in southern

France, in Italy, and Spain. Rivers which almost disappear in the dry season swell to torrents in winter-time; and hence the baneful fallacy of the meteorologists who deny that forests exercise any appreciable effect on precipitation. The total annual rain-fall may not vary; the Rhone, the Po, and the Ebro may still carry the same amount of water to the sea; but formerly the forest equalized the drainage of that water, where its absence now decreases the rains of the summer season and increases their destructive effect in early spring, especially in mountainous countries. Twenty years ago, De Bonville, prefect of the Lower Alps, addressed to the government a memorandum in which he describes the appearance of the upper mountain valleys after the loss of their forests:

"There is no doubt that the vegetable mold of the Alps, swept off by the increasing violence of that curse of the mountains, the torrents, is daily diminishing with fearful rapidity. All our Alps are wholly, or in large proportion, bared of wood. Their soil, scorched by the sun of Provence, cut up by the hoofs of the sheep, which, not finding on the surface the grass they require for their sustenance, scratch the ground in search of roots to satisfy their hunger,— is periodically washed and carried off by melting snows and rain-storms."

The junction of several swollen torrents has repeatedly raised the rivers of southern Europe to ten times their usual height, and produced devastation which Blanqui compares to the effects of an earthquake: deserted villages, mountainous heaps of uprooted trees and *débris*, fields covered with square leagues of scattered gravel. The valley-dwellers of eastern North America have already become familiar with similar scenes. But while the Rhone drains only fourteen thousand square miles of highlands, the Ohio is swelled by the drainage of 60,000 square miles of mountain countries, in a large portion of which spring rains are more frequent than in the southern Alps. In Pennsylvania, Kentucky, West Virginia, and Tennessee, the lumber trade increases more rapidly than any other branch of industry, and, in the river valleys, the steadily increasing maxima of high-water marks, as well as the devastating floods of 1882, 1883, and the present year,* are therefore

* The total damage of the flood of 1882 has been estimated at $12,000,000 in Ohio and Indiana; of that of 1883 at $22,000,000 in Ohio, $8,000,000 in Indiana, and $6,500,000 in western Kentucky.

only playful allusions to the probabilities of the next twenty years.

But while droughts can be counteracted only by a wide-spread system of coöperative tree-culture, spring floods admit of more local remedies. With rare exceptions they originate in mountain countries, where two causes combine to increase the evil effects of forest destruction: the steepness of the drainage slopes, which pour down the floods before any considerable portion can be absorbed by the soil, and the effects of premature spring seasons,* which swell the torrents with the thawing snows of the upland regions. Arboreal vegetation obviates those perils by absorbing, or at least retarding, the drainage even of the steepest slopes, to a degree which almost exempts from inundations the river valleys of densely wooded hill countries; and the only radical remedy would, therefore, be to protect or replant the forests bordering the valleys of all the upper water-courses. Mountain land is so cheap that extensive tracts could be rebought by the Government at nominal prices; and in the upper Alleghanies there are mountain slopes that could be intrusted to their natural safeguards — their steepness and their rockiness. Still, here and there a local demand for fuel has overcome such obstacles. High up in the alpine valleys of Polk County, Tennessee, a single establishment — the furnace of the Ducktown copper mine — has devoured the trees of a hundred hills. The Chesapeake and Ohio Railroad has done the same for the mountains of West Virginia, and the Virginia and Tennessee Railroad for the valley of the upper James River.

In such valleys, and especially where the nature of the soil threatens to delay the growth of young trees, the replanting of the forest should be supplemented by precautions against immediate dangers. Nature has given us a hint, which the Spanish Moors acted upon in the construction of the vast *alberkets*, or river reservoirs, which regulated the water supply

* The flood of 1883 was caused by premature thaws in the mountains of West Virginia and Pennsylvania. When Pennsylvania was first settled, winters like the two last would have been considered miraculous; the heavy snow-fall in the north counties used to blockade the overland road to New York every year. The old settlers of northern Georgia remember a time when the Tocoa River used to "freeze solid" at least every other year; while during the last fifteen years it froze only twice — in February, 1877, and in December, 1880.

of the South Spanish vegas. Wherever a river expands into a chain of lakes we find that such lakes serve not only as reserve basins in all but the dryest seasons, but also protect the valleys of their effluent streams against the floods of the upper tributaries. A rain that would cause the overflow of a narrow mountain stream in a single day might continue for weeks without effecting an appreciable change in the level of a large lake. A smaller lake, or even a mere *bahia*, as the Spanish-Americans call the expansions of their coast rivers, would at least compromise matters by distributing the deluge over a basin, where evaporation, and especially the water-absorbing alluvium of an extended shore-line, would diminish its volume, while the slower rise of the expansive water-level would retard that of the effluent stream. No rains have ever flooded the great lake-river of our Canadian frontier. Violent north-east storms have now and then "backed" the waters of Lake Erie till the Niagara River sank visibly below its normal level,—once so much, indeed, as to expose the naked rocks of the Horse-shoe Fall,—and the sudden bursting of an ice-gorge might produce the opposite effect; but there is no case on record that a wet spring, or the sudden thawing of the snow in the upper lake region, had endangered the river suburbs of Buffalo. Between Lake Leman and the hills of St. Rambert the level of the Rhone varies only a few feet; below its confluence with the Ardèche and other torrents of the Cevennes, its valley is subject to inundations which, in the words of Blanqui, have repeatedly done more mischief than an invading army of vandals could have perpetrated in the same time.

In the Ohio valley, as well as in southern France, the worst floods were always caused by the simultaneous swelling of mountain streams, which rose in a few hours to a height of twenty or thirty* feet above their normal level, but subsided as rapidly; so that a short delay of their torrents would, in the lower valleys, have made all the implied difference of a full and an overflowing river. In the lowlands, a river reservoir of sufficient dimensions would involve expenses too disproportionate, even for such a purpose; but in the mountains, where the hills themselves would form two sides of the

* In 1827, the Chassezac, a tributary of the Ardèche, rose sixty feet in less than two hours.—Montluisant, "Annales des Ponts et Chaussées," p. 112.

basin-walls, it would be easy to find points where the wildest torrent could be tamed by the construction of a dike across the gate of a narrow mountain gap, and where the expansion of the valley above the defile would form a basin of sufficient size to retain the floods of the worst rain-storm. For it would be rarely necessary to check the drainage for more than a single day. We have seen that the chief peril could be averted by preventing the simultaneous influx of several swollen highland streams, and by a system of telegraphic communication between the several reservoirs the discharge of their water could be regulated in a way to obviate such conjunctions. Besides, rain weather wanders; the observations of our signal stations have shown that rain-storms often move from Maine to Mexico, and that the degree of their violence is nearly always in inverse ratio to the length of their persistence at a given point. In exceptional cases the demand upon the limited capacity of a safety basin can be diminished by digging horizontal furrows along the upper hill slopes. The volume of the water thus retained will be reduced by infiltration, and the ditches can be utilized for irrigating purposes. In 1859 the French Government adopted this plan in the Cevennes, where the gradual erosion of the mountain slopes threatened to destroy the last pasture-grounds of the highlands. The reservoirs themselves might likewise be used for collateral purposes,—mill weirs, fish tanks, etc., and in dry seasons for the irrigation of the lower valleys.

The chief objection to the construction of artificial mountain lakes would be the more than usual degree of the danger to which all large water-reservoirs expose the country below their sluices. Even in the lowlands the bursting of such tanks has demolished whole villages, and the effects of a water-avalanche from the highlands would rival the havoc of a cloud-burst. Infiltration, followed by a hard frost, or even the pressure of the accumulated waters, might initiate such an event. Violent rains would reënforce the torrents of the upper valleys by the descent of rolling bowlders, which might damage, if not destroy, the bulwarks of the storage-basin. To obviate such dangers, the inner walls of the basin would have to be lined with cemented masonry, and at dangerous points with the bracket-fitted stone blocks that resist the breakers of Eddystone. The primary expense of such a work would be still further increased by the necessity of temporarily diverting the channel of the torrent.

But such objections should be outweighed by another consideration. The damage of winter floods is not limited to their direct results. A mountain torrent not only spreads havoc over the fields of its own banks, but has also a baneful tendency to shoal the channel of the valley rivers, thus making them more liable to overflow their banks. Castellani (*Dell' Influenza delle Selve*, I. p. 58) says that formerly it required a week's rain to cause an inundation of the Po, while nowadays a single rainy day is often sufficient to produce the same result. The amount of gravel which a single small river, the Mella, swept down during the inundation of 1850, has been estimated at 108,000,000 cubic yards, which almost obliterated the bed of its own channel, as well as that of the upper Oglio. (*Delle Inondazioni del Mella, nella notte del* 14 *al* 15 *Agosto*, 1850.) From the progressive changes in the coast line of the Adriatic, it has been computed that since the beginning of our chronological era the Po and its affluents have thus transported not less than three hundred thousand million cubic yards of earth and gravel! Professor G. P. March ("Man and Nature," pp. 258, 259) quotes several still higher estimates. As a natural consequence, the bed of such rivers rises higher and higher, till the reconstruction of the dikes involves an almost insupportable expense. The dams of the Fersina had to be raised above the city walls, and at last even above the housetops of Trent, till now the river seems to run along the ridge of a long-stretched chain of artificial hills. (Streffler, *Ueber die Wildbäche*, p. 7.) The bursting of such dikes is a national calamity. The floods that visited France and Germany last year caused more permanent damage than the Franco-Prussian war. The worst havoc resulted in both countries from *crevasses*, as our Creoles call the dike-ruptures of the Lower Mississippi.

And yet the same risk will soon have to be incurred in many valley regions of our Central States. The river counties of Indiana and Kentucky have already begun to adopt that method of protecting their fields against the inundations of the Ohio. Before the end of this century the increased frequency of winter floods and the augmented value of lands in the valleys of the Ohio, the Cumberland, the Susquehanna, the Potomac, and the Delaware, will stimulate the demand for "levees" beyond the boldest hopes of our present Congressional jobbers. The present high water-marks of these rivers would imply no in-

superable difficulties, even in the plains of western Kentucky, where neither hills nor dunes facilitate the labor of the dikers. The maximum of 1884 may not soon be exceeded. But it would alter the case if the river-bed itself should change its level. If the mountain streams of the Alleghanies continue to encroach upon their banks, their *detritus* will soon begin to shoal the valley rivers, their mud deluges will turn the bottom-lands into malarial fens, and the settlers of the Ohio valley will share the experience of Castellani's countrymen, whose gravel-choked rivers are apt to overflow upon the slightest provocation. In other words, unless preventive measures are adopted in time, the frequency of winter floods will soon increase, as well as their destructiveness.

FELIX L. OSWALD.

A PLEA FOR MODERN LANGUAGES.

THERE can be no very great difference of opinion among persons of education as to the excellence of Greek language and literature. It is with Greek as it is with art—every one admires it, but every one cannot be an artist; neither can every one be a Greek scholar. Nor is there a very great difference of opinion as regards the importance of modern languages. All seem to agree that they are indispensable to the scientist, the man of letters, the student of history and political science, and, to a greater or less extent, to the engineer, the diplomatist, and the merchant. The only point at which opinions diverge is that relating to the time and place when and where these various languages are to be studied.

John Stuart Mill advises British students to attend schools on the continent for the acquisition of French and German, and to give their time in college to Latin and Greek, to the exclusion even of history. A recent writer, Dr. Peabody, thinks it possible for boys to acquire German and French in a purely conversational manner at spare hours, while carrying on as their chief occupation the study of Greek and Latin. To justify such a proceeding, the writer assures us that the German and French grammars are only "abrasions" of the classical languages; and this view is even more scornfully expressed by a recent writer in this REVIEW. Professor West claims for Greek and Latin that they are "immeasurably superior to modern languages as means of discipline." "Modern languages do not contain material out of which to construct a logical grammar like theirs." And he asks, "What does English, French, or German grammar amount to? Simply *débris* of the classical languages mixed with barbaric elements."

With such views it is easy to see what will become of the study of modern languages. They will be set aside as some-

thing of secondary importance; there will not be sufficient time allowed for their successful study, and, very likely, but little care used in the selection of suitable teachers. It is clear that we cannot make out a case for the better teaching of modern languages, unless we can show that the view above expressed is erroneous. This is not so difficult as it may appear. In the first place, may we not justly ask why the gentlemen who entertain this view mix up the German and English grammars with the grammars of the Romance languages? Is it due to an oversight? If not, we should like to know in what sense the highly developed and very logical German grammar is *débris* of the Latin or Greek? And, further, how the *débris* of English grammar can be made out to point back to a Greek or Latin ancestry? We are not speaking of Greek and Latin words, which both these languages contain, but of grammar proper.

A very slight acquaintance with German cannot fail to convince a fair student of the truth of Professor Whitney's remark as to the relations between German and English grammar: "The fundamental relation of German to the most central and intimate part of English makes the study instinct with practical bearings on our own tongue, and equivalent to a historical and comparative study of English itself." "English in its grammar is essentially Teutonic," is the verdict of comparative philology. French, Italian, etc., present a better showing as regards the charge expressed by the words abrasions and *débris*. Before looking at this side of the question, however, we prefer to quote the testimony of a very competent judge on the value of the Romance languages for Comparative Philology, Professor Max F. Müller, of Oxford. In his "Science of Language," Part II., he says:

"If the ancient languages throw light on the origin of modern languages, many secrets in the nature of the dead languages can only be explained by the evidence of the living dialects. Apart from all other considerations, modern languages help us establish, by evidence which cannot be questioned, the leading principles of the science of language. In the modern Romance dialects we have before our eyes a more complete and distinct picture, or repetition, of the origin and growth of language than anywhere else in the whole history of human speech. Where, again, except in the modern language, can we watch the secret growth of new forms, and so understand the resources which are given for the formation of the grammatical articulation of the language? Modern dialects may be said to let out the secrets of language."

If French grammar is originally only *débris* of Latin, the French grammar of the present day is a most logical and wonderful instrument, that has long since filled up the gaps made by abrasions and decay, and now presents an organism scarcely less admirable than the grammar from which it traces its origin. But when we speak of abrasions and decay, we must not forget that what is true of modern languages applies likewise to Latin and Greek. No one has made this plainer, and stated the fact more precisely, than Professor Whitney, in his admirable work, "Language, and the Study of Language." We quote from page 238:

"Since it appears that every existing or recorded dialect, and every word composing it, is the altered successor—altered in both form and meaning—of some other and earlier one; since all known language has been made what it is out of something more original, by action proceeding from the minds of those who have used it,—its examination must be conducted historically, like that of any other institution which has had a historic growth and development."

The same author, on page 246, makes the following remark:

"The greater part of the rubbish which is even now heaping up in the path of our science, encumbering its progress, comes from the neglect of these simple principles: that no man is qualified to compare fruitfully two languages or groups who is not deeply grounded in the knowledge of both, and that no language can be fruitfully compared with others which stand in a more distant relationship with it, until it has been first compared with its own next of kin."

Now, the next of kin of English are German and French, more remotely Latin, and these three languages deserve the special attention of all who favor such a modification of our regular collegiate course as will do justice to the demands of a sound modern education. If from such a course the Greek must be excluded, it will not be from want of appreciation of the study, but because it is impossible to teach four languages well in the short space of time the college allows, and because thorough teaching is the most crying need of our higher schools. Greek, as an elective study, might still be continued, and should be continued; but as an absolute requirement it can be successfully retained only on condition that the other languages are neglected.

There seems to be a lurking superstition that Greek and Latin, like Minerva of old, sprang, full-fledged, from the head

of Jupiter. The scientific view of the origin of these languages is as different from this as it can be. Greek and Latin conjugation requires, except where reduplication is used, that all the modifying elements be placed at the end of the stem, while the modern analytical languages, with one exception, place them in front. This exception occurs in the future tense of the verb in the Romance languages, which is virtually the infinitive with the auxiliary "have" added to it; "aimer," to love; "ai," I have; "aimerai," I shall love (I have to love). Does any one believe that in studying the English "I shall love" a student receives less discipline than he does from committing to memory "j'aimerai," etc.? I dare say no one does, for in respect to the modern languages we meet with but little superstition. But why, then, should there be any more discipline in learning "amabo" or φιλήσω? Let us not go on forever confounding the machinery of thought with thought itself. Is it believed that there is a thought so subtle or so sublime, a sentiment so delicate or so poetic, which, when once it arises in the mind of an English, French, or German speaking person could not find a suitable utterance in each one's language?

The idea that the Latin and Greek languages afford a better means of linguistic training than English, French, and German, is thus met by Professor Max F. Müller:

"Because a study of the ancient languages has always been confined to a small minority, and because it is generally supposed that it is easier to learn a modern language than an ancient tongue, people have come to look upon the so-called classical languages — Sanscrit, Greek, and Latin — as vehicles of thought more pure and perfect than the spoken dialects of Europe. We are not speaking at present of literature; we speak only of language, of the roots and words, the declensions, conjugations and constructions peculiar to each dialect; and with regard to these it must be admitted that the modern languages stand on a perfect equality with the ancient languages. Can it be supposed that we, who are always advancing in art, in science, in philosophy and religion, should have allowed language, the most powerful instrument of the mind, to fall from its pristine purity, to lose its vigor and nobility, and become a mere jargon?"

The universities of Michigan, of Iowa, of Cornell have recognized the principle here involved by the organization of parallel courses with the time-honored classical course. At these universities the experiment has been tried for from fifteen to twenty years, and apparently with satisfactory results. Presi-

dent White, of Cornell, who has always taken a lively interest in modern literature, in a recent address before the Cornell Alumni in New York, thus touches on the question:

"So far as literature is concerned, while I have nothing to say against those who are devoted to ancient literature, we certainly need for the great majority the study of literatures rich, accessible, directly bearing on modern life. In my judgment, the great German literature best suits this need. I believe that it furnishes the best corrective of modern 'Philistinism.' The man who has read Lessing's 'Nathan, the Wise,' or Goethe's 'Faust' and 'Egmont,' or Schiller's 'Tell' and 'Fiesco,' or Gutzkow's 'Uriel Acosta,' can never be a mere money-making machine — a mere 'Philistine.'"

We have been told that the ancient languages deserve to be studied at a greater expense of time and effort, because there is absolute proof that they train and discipline the mind in a way that no other language or study can. In proof of this view, the experience of the Berlin faculty has been cited. But two things should be considered in this connection. The one is, that those preparatory schools in Prussia which do not teach the Greek, substitute for that language, not another language, but mathematics and science. President Eliot, of Harvard, in an article published fifteen years ago, pointed out the objections to instruction in science when begun too early. Others have shown that the excessive prevalence of mathematics in the earlier years of a student's course has a tendency to dull his taste for such studies in after years. However this may be, the Prussian Realschule cannot be cited as proving that a thorough training in another language will not do as much for a student as such training in Greek. The proportion of the sum of weekly averages of the language lessons, in the two kinds of the preparatory schools, is one hundred and twenty hours of languages in the Gymnasium against only eighty-four hours in the Realschule. Of the eighty-four hours thus given to language, the latter school devotes forty-two to Latin, dividing the other forty-two between French and English. Hence, this cannot be a test as regards the relative value of training in the ancient or modern languages. The other point is, that the "Realschulen" are even now looked upon by the leading classes as something second best, the prejudice in favor of the "Gymnasien" being as deeply rooted in Prussia as the faith in Eton and Harrow is in England. And there is, of course, a good deal to be said in favor of this prejudice. The new schools have to establish a reputation, and that is always hard to do, and

they, no doubt, have made some mistakes. As a consequence they do not, as a rule, attract the best talent.

That an education not based on the training given by the classical languages may lead to very satisfactory results is firmly believed by men whose competency cannot be questioned. President Eliot, in the article referred to, makes the following remark:

"It is not to be imagined that the mental training afforded by a good polytechnic school is necessarily inferior in any respect to that of a good college; whether in breadth, vigor, or wholesomeness. Certain it is, that an average graduate of the Zurich Polytechnicum, or the Paris École Centrale, has a much better title to be called 'learned' than most graduates of American colleges and professional schools."

President Eliot's opinion is well supported by evidence accessible to all. The great need of our higher schools is thoroughness. It is because of their thoroughness that European schools of the most various type produce such good results. Our object should be to imitate their example. If the training must be in Greek and Latin, let it be as thorough as possible. Allow the student ample time really to learn these languages. If you prefer modern languages, allow as much time to them, and treat them with the same consideration. All cultivated languages—at least, all those that represent our own civilization—contain in themselves the elements which make language-study one of the most fruitful and most important branches of learning. These languages differ, as nations do. The artistic instinct of the Greek mind breathes in its language; the clear strong sense of the English, impatient of redundancy, appears clearly in the language; the German tongue is a faithful mirror of the conscientious, subtle, and philosophical genius of that nation; and the nimble grace and lucid directness of the French appear no less in their language than the spirit of system, the gravity of law, and the sternness of imperial rule found fitting expression in the Latin. Matthew Arnold has emphasized the symmetry characteristic of Greek literature, and has recommended the study of Greek to English students, that they might become imbued with its spirit. One might object to this, that the literature of Greece, certainly that portion of it which the student is apt to read, can be appreciated in good translations, and that it is, for a majority of people, no greater privation to have to read the masterpieces of Greek literature at second hand than

it is to read in this manner the Hebrew psalms and the prophecies of Isaiah. But granting that in so doing much of the charm of the original is lost, what shall we say on being told by Mr. Arnold that the bad architecture of the London Strand is due to the neglect of Greek studies? Is it necessary to remind so profound a scholar that the only architecture that can be compared to Greek architecture, both as regards symmetry and beauty, the Gothic, arose and flourished when Greek studies were as good as unknown in Europe? But even admitting, for argument's sake, all that is claimed for the Greek, would it not be just as reasonable to recommend the study of other languages for such qualities as are peculiar to them, and for benefits which they are apt to bestow?

We are told by Dr. Peabody that, in his career as an editor, he has been able to detect in articles presented to him indications that the writers had had a classical education or the contrary. Very likely. As nearly all education has hitherto been classical at our colleges, a writer without a collegiate education would *ipso facto* be a writer without a classical education. Detecting the one defect would be detecting the other. But let us suppose, to test this matter on a wider scale, that among those who offered their productions to the editor, there had been a Shakespeare, a Dante, a Schiller, or a Burns. Would the editor have detected the absence of Greek training in these writers? Does he claim that he can detect the absence of such training in authors like Herbert Spencer, Professor Tyndall, our own Benjamin Franklin, and a number of similar authors? Why not confess it? Overwhelming proofs can be furnished in evidence that it is possible to attain to a high education through the languages of England and America, of Italy and France and Germany, as well as through those of Greece and Rome. Let us be both generous and scholarly in doing justice to the genius of every great language and every great literature. Why should the term "classic" apply only to Greek and Roman writers? When Shakespeare wrote his immortal plays, he made of English a classical language for evermore. Dante consecrated his Tuscan in the same way, and so did Goethe and Lessing, Racine and Molière, in respect to their native tongues.

One of the many curious reasons given for the study of Greek and Latin is, that these languages do not change any more. But does the language of Shakespeare change? The

English language does, but Shakespeare's language is as unchanging as the language of Homer. And is Greek literature of more value simply because Homer is older — because a hundred generations have studied Homer, and only a dozen Shakespeare? Let those who have the inclination and the leisure study all these great authors. Who is there so great among us as to be a fit judge over the great masters of literature? Who is there so highly endowed that we may safely accept his verdict as to the intrinsic greatness of a Goethe, a Shakespeare, a Plato? "In judging others," says Goethe, "we place ourselves on their level." Granting that translation takes off the bloom of the foreign fruit, yet, if well done, it cannot destroy the essence. In order to be imbued with the spirit of the Scriptures, must one be able to read the Old Testament in the Hebrew, the New in the Greek?

Let it not be believed that it is possible for the average good student of the college to acquire more than a smattering of any language, ancient or modern, to which he cannot devote a great deal of time. It is this question of time that must be considered, if we wish to meet the real difficulty of the problem. We are told that boys, while giving their time and attention mostly to the Greek and Latin, may yet find time to acquire a fair knowledge of German and French by the so-called natural or conversational method. During a period of over twenty years, I have had occasion to meet, in the class-room and elsewhere, not a few persons who had enjoyed the advantages of that kind of instruction,—advantages which I thoroughly appreciate and highly value,—but in not a single case have I found the student possessed of anything like an accurate knowledge of language. The true natural method is the method by which our children learn the English; but they do not learn this in a year, nor in four years, though during these four years all their thinking, reading, and speaking is done in English. To know a few hundred current phrases and a few hundred words is not enough to understand Shakespeare or Emerson; neither is it enough to understand Lessing or Goethe, or Molière, Dante, and the rest. Whatever method has been found valuable for the acquisition of one language must also be valuable for the acquisition of another; and to recommend close and systematic study for the Greek and Latin, while assigning the student to a process of "picking up" for French and German, is equivalent to saying

that no language should be well taught — except the ancient languages.

Modern literature is the natural continuation of ancient literature. The ideas of Greece survive, and the spirit of Homer is not dead. But precisely because modern literature contains the best of antiquity, and because it has added so much to the inherited part as to make the new property immensely more valuable, it cannot be right to assign to it an inferior place in a system of education intended to meet the demands of the age in which we live. We may regret that modern ears cannot have the privilege of listening to the music of Greek verse. In spite of all research, we cannot, with certainty, restore for our ears the ancient sound. We can drink in the music of Goethe's verse in his incomparable "Iphigenie"; the majesty and splendor of the language of Racine in his noble drama, "Athalie," can be, with proper effort, appreciated by the modern student; and who will say that in the study of such works and the training of the ear to the delicacies of foreign sounds, there may not come to the student a kind of artistic culture second to no other? At any rate, is it not worth while to make the attempt by assigning to these languages and their literatures the necessary time and the most competent instructors?

C. A. EGGERT.

LITERATURE FOR CHILDREN.

LITERATURE is that quality in books which affords delight and nourishment to the soul. But this is a scientific and skeptical age, insomuch that one hardly ventures to take for granted that every reader will know what his soul is. It is not the intellect, though it gives the intellect light; nor the emotions, though they receive their warmth from it. It is the most catholic and constant element of human nature, yet it bears no direct part in the practical affairs of life; it does not struggle, it does not even suffer; but merely emerges or retires, glows or congeals, according to the company in which it finds itself. We might say that the soul is a name for man's innate sympathy with goodness and truth in the abstract; for no man can have a bad soul, though his heart may be evil, or his mind depraved, because the soul's access to the mind or heart has been so obstructed as to leave the moral consciousness cold and dark. The soul, in other words, is the only conservative and peacemaker; it affords the only unalterable ground upon which all men can always meet; it unselfishly identifies or unites us with our fellows, in contradistinction to the selfish intellect, which individualizes us and sets each man against every other. Doubtless, then, the soul is an amiable and desirable possession, and it would be a pity to deprive it of so much encouragement as may be compatible with due attention to the serious business of life. For there are moments, even in the most active careers, when it seems agreeable to forget competition, rivalry, jealousy; when it is a rest to think of oneself as a man rather than a person;—moments when time and place appear impertinent, and that most profitable which affords least palpable profit. At such seasons, a man looks inward, or, as the American poet puts it, he loafs and invites his soul, and then he is at a disadvantage if his soul, in consequence of too persistent

previous neglect, declines to respond to the invitation, and remains immured in that secret place which, as years pass by, becomes less and less accessible to so many of us.

When I say that literature nourishes the soul, I implicitly refuse the title of literature to anything in books that either directly or indirectly promotes any worldly or practical use. Of course, what is literature to one man may be anything but literature to another, or to the same man under different circumstances: Virgil to the schoolboy, for instance, is a very different thing from the Virgil of the scholar. But whatever you read with the design of improving yourself in some profession, or of acquiring information likely to be of advantage to you in any pursuit or contingency, or of enabling yourself to hold your own with other readers, or even of rendering yourself that enviable nondescript, a person of culture,— whatever, in short, is read with any assignable purpose whatever, is in so far not literature. The Bible may be literature to Mr. Matthew Arnold, because he reads it for fun; but to Luther, Calvin, or the pupils of a Sunday-school, it is essentially something else. Literature is the written communications of the soul of mankind with itself; it is liable to appear in the most unexpected places, and in the oddest company; it vanishes when we would grasp it, and appears when we look not for it. Chairs of literature are established in the great universities, and it is literature, no doubt, that the professor discourses; but it ceases to be literature before it reaches the students' ear; though, again, when the same students stumble across it in the recesses of their memory ten or twenty years later, it may have become literature once more. Finally, literature may, upon occasion, avail a man more than the most thorough technical information; but it will not be because it supplements or supplants that information, but because it has so tempered and exalted his general faculty that whatever he may do is done more clearly and comprehensively than might otherwise be the case.

Having thus, in some measure, considered what is literature and what the soul, let us note, further, that the literature proper to manhood is not proper to childhood, though the reverse is not — or, at least, never ought to be — true. In childhood, the soul and the mind act in harmony: the mind has not become preoccupied or sophisticated by so-called useful knowledge; it responds obediently to the soul's impulses and

intuitions. Children have no morality; they have not yet descended to the level where morality suggests itself to them. For morality is the outcome of spiritual pride, the most stubborn and insidious of all sins; the pride which prompts each of us to declare himself holier than his fellows, and to support that claim by parading his docility to the Decalogue. Docility to any set of rules, no matter of how Divine authority, so long as it is inspired by hope of future good or present advantage, is rather worse than useless: except our righteousness exceed that of the Scribes and Pharisees,—that is, except it be spontaneous righteousness or morality, and, therefore, not morality, but unconscious goodness,—we shall in no wise have benefited either ourselves or others. Children, when left to themselves, artlessly and innocently act out the nature that is common to saint and sinner alike; they are selfish, angry, and foolish, because their state is human; and they are loving, truthful, and sincere, because their origin is divine. All that pleases or agrees with them is good; all that opposes or offends them is evil, and this, without any reference whatever to the moral code in vogue among their elders. But, on the other hand, children cannot be tempted as we are, because they suppose that everything is free and possible, and because they are as yet uncontaminated by the artificial cravings which the artificial prohibitions incident to our civilization create. Life is to them a constantly widening circle of things to be had and enjoyed; nor does it ever occur to them that their desires can conflict with those of others, or with the laws of the universe. They cannot consciously do wrong, nor understand that any one else can do so; untoward accidents may happen, but inanimate nature is just as liable to be objectionable in this respect as human beings: the stone that trips them up, the thorn that scratches them, the snow that makes their flesh tingle, is an object of their resentment in just the same kind and degree as are the men and women who thwart or injure them. But of duty — that dreary device to secure future reward by present suffering; of conscience — that fear of present good for the sake of future punishment; of remorse — that disavowal of past pleasure for fear of the sting in its tail; of ambition — that begrudging of all honorable results that are not effected by oneself; of these, and all similar politic and arbitrary masks of self-love and pusillanimity, these poor children know and suspect nothing. Yet their eyes are

much keener than ours, for they see through the surface of nature and perceive its symbolism; they see the living reality, of which nature is the veil, and are continually at fault because this veil is not, after all, the reality,— because it is fixed and unplastic. The "deep mind of dauntless infancy" is, in fact, the only revelation we have, except Divine revelation itself, of that pure and natural life of man which we dream of, and liken to Heaven; but we, nevertheless, in our penny-wise, pound-foolish way, insist upon regarding it as ignorance, and do our best, from the earliest possible moment, to disenchant and dispel it. We call the outrage education, understanding thereby the process of exterminating in the child the higher order of faculties and the intuitions, and substituting for them the external memory, timidity, self-esteem, and all that armament of petty weapons and defenses which may enable us to get the better of our fellow-creatures in this world, and receive the reward of our sagacity in the next. The success of our efforts is pitiably complete; for though the child, if fairly engaged in single combat, might make a formidable resistance against the infliction of "lessons," it cannot long withstand our crafty device of sending it to a place where it sees a score or a hundred of little victims like itself, all being driven to the same Siberia. The spirit of emulation is aroused, and lo! away they all scamper, each straining its utmost to reach the barren goal ahead of all competitors. So do we make the most ignoble passions of our children our allies in the unholy task of divesting them of their childhood. And yet, who is not aware that the best men the world has seen have been those who, throughout their lives, retained the aroma of childlike simplicity which they brought with them into existence? Learning — the acquisition of specific facts — is not wisdom; it is almost incompatible with wisdom; indeed, unless the mind be powerful enough not only to fuse its facts, but to vaporize them,— to sublimate them into an impalpable atmosphere,— they will stand in wisdom's way. Wisdom comes from the pondering and the application to life of certain truths quite above the sphere of facts, and of infinitely more moment and less complexity,— truths which are often found to be in accordance with the spiritual instinct called intuition, which children possess more fully than grown persons. The wisdom of our children would often astonish us, if we would only forbear the attempt to make them knowing, and

submissively accept instruction from them. Through all the imperfection of their inherited infirmity, we shall ever and anon be conscious of the radiance of a beautiful, unconscious intelligence, worth more than the smartness of schools and the cleverness of colleges. But no; we abhor the very notion of it, and generally succeed in extinguishing it long before the Three R's are done with.

And yet, by wisely directing the child's use of the first of the three, much of the ill effects of the trio and their offspring might be counteracted. If we believed—if the great mass of people known as the civilized world did actually and livingly believe—that there was really anything beyond or above the physical order of nature, our children's literature, wrongly so-called, would not be what it is. We believe what we can see and touch; we teach them to believe the same, and, not satisfied with that, we sedulously warn them not to believe anything else. The child, let us suppose, has heard from some unauthorized person that there are fairies—little magical creatures an inch high, up to all manner of delightful feats. He comprehends the whole matter at half a word, feels that he had known it already, and half thinks that he sees one or two on his way home. He runs up to his mother and tells her about it; and has she ever seen fairies? Alas! His mother tells him that the existence of such a being as a fairy is impossible. In old times, when the world was very ignorant and superstitious, they used to ascribe everything that happened to supernatural agency; even the trifling daily accidents of one's life, such as tumbling downstairs, or putting the right shoe on the left foot, were thought or fancied to be the work of some mysterious power; and since ignorant people are very apt to imagine they see what they believe [proceeds this mother] instead of only believing what they see; and since, furthermore, ignorance disposes to exaggeration and thus to untruth, these people ended by asserting that they saw fairies. "Now, my child," continues the parent, "it would grieve me to see you the victim of such folly. Do not read fairy stories. They are not true to life; they fill your mind with idle notions; they cannot form your understanding, or aid you to do your work in the world. If you should happen to fall in with such fables, be careful as you read to bear in mind that they are pure inventions—pretty, sometimes, perhaps, but essentially frivolous, if not immoral. You have, however,

thanks to the enlightened enterprise of writers and publishers, an endless assortment of juvenile books and periodicals which combine legitimate amusement with sound and trustworthy instruction. Here are stories about little children just like yourself, who talk and act just as you do, and to whom nothing supernatural or outlandish ever happens; and whose adventures, when you have read them, convey to you some salutary moral lesson. What more can you want? Yes, very likely 'Grimm's Tales' and 'The Arabian Nights' may seem more attractive; but in this world many harmful things put on an inviting guise, which deceives the inexperienced eye. May my child remember that all is not gold that glitters, and desire, not what is diverting merely, but what is useful and . . . and conventional!"

Let us admit that, things being as they are, it is necessary to develop the practical side of the child's nature, to ground him in moral principles, and to make him comprehend and fear — nominally God, but really — society. But why, in addition to doing this, should we strangle the unpractical side of his nature, — the ideal, imaginative, spiritual side, — the side which alone can determine his value or worthlessness in eternity? If our minds were visible as our bodies are, we should behold on every side of us, and in our own private looking-glasses, such abortions, cripples, and monstrosities as all the slums of Europe and the East could not parallel. We pretend to make little men and women out of our children, and we make little dwarfs and hobgoblins out of them. Moreover, we should not diminish even the practical efficiency of the coming generation by rejecting their unpractical side. Whether this boy's worldly destination be to clean a stable or to represent his country at a foreign court, he will do his work all the better, instead of worse, for having been allowed freedom of expansion on the ideal plane. He will do it comprehensively, or as from above downward, instead of blindly, or as from below upward. To a certain extent this position is very generally admitted by instructors nowadays; but the admission bears little or no fruit. The ideality and imagination which they have in mind are but a partial and feeble imitation of what is really signified by those terms. Ideality and imagination are themselves merely the symptom or expression of the faculty and habit of spiritual or subjective intuition — a faculty of paramount value in life, though of late years, in the rush of rational knowledge and discovery, it has fallen into

neglect. But it is by means of this faculty alone that the great religion of India was constructed — the most elaborate and seductive of all systems; and although as a faith Buddhism is also the most treacherous and dangerous attack ever made upon the immortal welfare of mankind, that circumstance certainly does not discredit or invalidate the claim to importance of spiritual intuition itself. It may be objected that spiritual intuition is a vague term. It undoubtedly belongs to an abstruse region of psychology; but its meaning for our present purpose is simply the act of testing questions of the moral consciousness by an inward touch-stone of truth, instead of by external experience or information. That the existence of such a touch-stone should be ridiculed by those who are accustomed to depend for their belief upon palpable or logical evidence, goes without saying; but, on the other hand, there need be no collision or argument on the point, since no question with which intuition is concerned can ever present itself to persons who pin their faith to the other sort of demonstration. The reverse of this statement is by no means true; but it would lead us out of our present path to discuss that matter.

Assuming, however, that intuition is possible, it is evident that it should exist in children in an extremely pure, if not in its most potent state; and to deny it opportunity of development might fairly be called a barbarity. It will hardly be disputed that children are an important element in society. Without them we should lose the memory of our youth, and all opportunity for the exercise of unselfish and disinterested affection. Life would become arid and mechanical to a degree now scarcely conceivable; chastity and all the human virtues would cease to exist; marriage would be an aimless and absurd transaction; and the brotherhood of man, even in the nominal sense that it now exists, would speedily be abjured. Political economy and sociology neglect to make children an element in their arguments and deductions, and no small part of their error is attributable to that circumstance. But although children are still born, and all the world acknowledges their paramount moral and social value, the general tendency of what we are forced to call education at the present day is to shorten as much as possible the period of childhood. In America and Germany especially — but more in America than in Germany — children are urged and stimulated to "grow up" almost before

they have been short-coated. That conceptions of order and discipline should be early instilled into them is proper enough; but no other order and discipline seems to be contemplated by educators than the forcing them to stand and be stuffed full of indigestible and incongruous knowledge, than which proceeding nothing more disorderly could be devised. It looks as if we felt the innocence and naturalness of our children to be a rebuke to us, and wished to do away with it in short order. There is something in the New Testament about offending the little ones, and the preferred alternative thereto; and really we are outraging not only the objective child, but the subjective one also —that in ourselves, namely, which is innocent and pure, and without which we had better not be at all. Now I do not mean to say that the only medicine that can cure this malady is legitimate children's literature; wise parents are also very useful, though not perhaps so generally available. My present contention is that the right sort of literature is an agent of great efficiency, and may be very easily come by. Children derive more genuine enjoyment and profit from a good book than most grown people are susceptible of: they see what is described, and themselves enact and perfect the characters of the story as it goes along.

Nor is it indispensable that literature of the kind required should forthwith be produced; a great deal, of admirable quality, is already on hand. There are a few great poems— Spenser's "Faerie Queene" is one—which no well-regulated child should be without; but poetry in general is not exactly what we want. Children—healthy children—never have the poetic genius; but they are born mystics, and they have the sense of humor. The best way to speak to them is in prose, and the best kind of prose is the symbolic. The hermetic philosophers of the Middle Ages are probably the authors of some of the best children's stories extant. In these tales, disguised beneath what is apparently the simplest and most artless flow of narrative, profound truths are discussed and explained. The child reads the narrative, and certainly cannot be accused of comprehending the hidden philosophical problem; yet that also has its share in charming him. The reason is partly that true symbolic or figurative writing is the simplest form known to literature. The simplest, that is to say, in outward form,—it may be indefinitely abstruse as to its inward contents. Indeed,

the very cause of its formal simplicity is its interior profundity. The principle of hermetic writing was, as we know, to disguise philosophical propositions and results under a form of words which should ostensibly signify some very ordinary and trivial thing. It was a secret language, in the vocabulary of which material facts are used to represent spiritual truths. But it differed from ordinary secret language in this, that not only were the truths represented in the symbols, but the philosophical development of the truth, in its ramifications, was completely evolved under the cover of a logically consistent tale. This, evidently, is a far higher achievement of ingenuity than merely to string together a series of unrelated parts of speech, which, on being tested by the "key," shall discover the message or information really intended. It is, in fact, a practical application of the philosophical discovery, made by or communicated to the hermetic philosophers, that every material object in nature answers to or corresponds with a certain one or group of philosophical truths. Viewed in this light, the science of symbols or of correspondences ceases to be an arbitrary device, susceptible of alteration according to fancy, and avouches itself an essential and consistent relation between the things of the mind and the things of the senses. There is a complete mental creation, answering to the material creation, not continuously evolved from it, but on a different or detached plane. The sun,—to take an example,—the source of light and heat, and thereby of physical nature, is in these fables always the symbol of God, of love and wisdom, by which the spirit of man is created. Light, then, answers to wisdom, and heat to love. And since all physical substances are the result of the combined action of light and heat, we may easily perceive how these hermetic sages were enabled to use every physical object as a cloak of its corresponding philosophical truth,—with no other liability to error than might result from the imperfect condition of their knowledge of physical laws.

To return, however, to the children, I need scarcely remark that the cause of children's taking so kindly to hermetic writing is, that it is actually a living writing; it is alive in precisely the same way that nature, or man himself, is alive. Matter is dead; life organizes and animates it. And all writing is essentially dead which is a mere transcript of fact, and is not inwardly organized and vivified by a spiritual significance. Children do

not know what it is that makes a human being smile, move, and talk; but they know that such a phenomenon is infinitely more interesting than a doll; and they prove it by themselves supplying the doll with speech and motions out of their own minds, so as to make it as much like a real person as possible. In the same way, they do not perceive the philosophical truth which is the cause of existence of the hermetic fable; but they find that fable far more juicy and substantial than the ordinary narrative of every-day facts, because, however fine the surface of the latter may be, it has, after all, nothing but its surface to recommend it. It has no soul; it is not alive; and, though they cannot explain why, they feel the difference between that thin, fixed grimace and the changing smile of the living countenance.

It would scarcely be practicable, however, to confine the children's reading to hermetic literature; for not much of it is extant in its pure state. But it is hardly too much to say that all fairy stories, and derivations from these, trace their descent from an hermetic ancestry. They are often unaware of their genealogy; but the sparks of that primal vitality are in them. The fairy is itself a symbol for the expression of a more complex and abstract idea; but, once having come into existence, and being, not a pure symbol, but a hybrid between the symbol and that for which it stands, it presently began an independent career of its own. The mediæval imagination went to work with it, found it singularly and delightfully plastic to its touch and requirements, and soon made it the center of a new and charming world, in which a whole army of graceful and romantic fancies, which are always in quest of an arena in which to disport themselves before the mind, found abundant accommodation and nourishment. The fairy land of mediæval Christianity seems to us the most satisfactory of all fairy lands, probably because it is more in accord with our genius and prejudices than those of the East; and it fitted in so aptly with the popular mediæval ignorance on the subject of natural phenomena, that it became actually an article of belief with the mass of men, who trembled at it while they invented it, in the most delicious imaginable state of enchanted alarm. All this is prime reading for children; because, though it does not carry an orderly spiritual meaning within it, it is more spiritual than material, and is constructed entirely according to the dictates

of an exuberant and richly colored, but, nevertheless, in its own sphere, legitimate imagination. Indeed, fairy land, though as it were accidentally created, has the same permanent right to be that Beauty has; it agrees with a genuine aspect of human nature, albeit one much discountenanced just at present. The sequel to it, in which romantic human personages are accredited with fairy-like attributes, as in the "Faerie Queene," already alluded to, is a step in the wrong direction, but not a step long enough to carry us altogether outside of the charmed circle. The child's instinct of selection being vast and cordial,—he will make a grain of true imagination suffuse and glorify a whole acre of twaddle,—we may with security leave him in that fantastic society. Moreover, some children being less imaginative than others, and all children being less imaginative in some moods and conditions than at other seasons, the elaborate compositions of Tasso, Cervantes, and the others, though on the boundary line between what is meat for babes and the other sort of meat, have also their abiding use.

The "Arabian Nights" introduced us to the domain of the Oriental imagination, and has done more than all the books of travel in the East to make us acquainted with the Asiatic character and its differences from our own. From what has already been said on the subject of spiritual intuition in relation to these races, one is prepared to find that all the Eastern literature that has any value is hermetic writing, and therefore, in so far, proper for children. But the incorrigible subtlety of the Oriental intellect has vitiated much of their symbology, and the sentiment of sheer wonder is stimulated rather than that of orderly imagination. To read the "Arabian Nights" or the "Bhagavad-Gita" is a sort of dissipation; upon the unhackneyed mind of the child it leaves a reactionary sense of depression. The life which it embodies is distorted, over-colored, and exciting; it has not the serene and balanced power of the Western productions. Moreover, these books were not written with the grave philosophic purpose that animated our own hermetic school; it is rather a sort of jugglery practiced with the subject—an exercise of ingenuity and invention for their own sake. It indicates a lack of the feeling of responsibility on the writers' part,—a result, doubtless, of the prevailing fatalism that underlies all their thought. It is not essentially wholesome, in short; but it is immeasurably superior to the best of the productions called

forth by our modern notions of what should be given to children to read.

But the space at my command compels me to no more than touch upon this branch of the subject; nor will it be possible to linger long over that department of our own literature which came into being with "Robinson Crusoe." No theory as to children's books would be worth much attention which found itself obliged to exclude that memorable work. Although it submits in a certain measure to classification, it is almost *sui generis;* no book of its kind, approaching it in merit, has ever been written. In what, then, does its fascination consist? There is certainly nothing hermetic about it; it is the simplest and most studiously matter-of-fact narrative of events, comprehensible without the slightest effort, and having no meaning that is not apparent on the face of it. And yet children, and grown people also, read it again and again, and cannot find it uninteresting. I think the phenomenon may largely be due to the nature of the subject, which is really of primary and universal interest to mankind. It is the story of the struggle of man with wild and hostile nature,—in the larger sense an elementary theme,—his shifts, his failures, his perils, his fears, his hopes, his successes. The character of Robinson is so artfully generalized or universalized, and sympathy for him is so powerfully aroused and maintained, that the reader, especially the child reader, inevitably identifies himself with him, and feels his emotions and struggles as his own. The ingredient of suspense is never absent from the story, and the absence of any plot prevents us from perceiving its artificiality. It is, in fact, a type of the history of the human race, not on the higher plane, but on the physical one; the history of man's contest with and final victory over physical nature. The very simplicity and obviousness of the details gives them grandeur and comprehensiveness: no part of man's character which his contact with nature can affect or develop is left untried in Robinson. He manifests in little all historical earthly experiences of the race; such is the scheme of the book; and its permanence in literature is due to the sobriety and veracity with which that scheme is carried out. To speak succinctly, it does for the body what the hermetic and cognate literature does for the soul; and for the healthy man, the body is not less important than the soul in

its own place and degree. It is not the work of the Creator, but it is contingent upon creation.

But poor Robinson has been most unfortunate in his progeny, which at this day overrun the whole earth, and render it a worse wilderness than ever was the immortal Crusoe Island. Miss Edgeworth, indeed, might fairly pose as the most persistently malignant of all sources of error in the design of children's literature; but it is to be feared that it was Defoe who first made her aware of the availability of her own venom. She foisted her prim and narrow moral code upon the commonplace adventures of a priggish little boy and his companions; and straightway the whole dreary and disastrous army of sectarians and dogmatists took up the cry, and have been ringing the lugubrious changes on it ever since. There is really no estimating the mortal wrong that has been done to childhood by Maria Edgeworth's "Frank" and "The Parents' Assistant"; and, for my part, I derive a melancholy joy in availing myself of this opportunity to express my sense of my personal share in the injury. I believe that my affection for the human race is as genuine as the average; but I am sure it would have been greater had Miss Edgeworth never been born; and were I to come across any philosophical system whereby I could persuade myself that she belonged to some other order of beings than the human, I should be strongly tempted to embrace that system on that ground alone.

After what has been advanced in the preceding pages, it does not need that I should state how earnestly I deprecate the kind of literary food which we are now furnishing to the coming generation in such sinister abundance. I am sure it is written and published with good and honorable motives; but at the very best it can only do no harm. Moreover, however well-intentioned, it is bad as literature; it is poorly conceived and written, and, what is worse, it is saturated with affectation. For an impression prevails that one needs to talk down to children;—to keep them constantly reminded that they are innocent, ignorant little things, whose consuming wish it is to be good and go to Sunday-school, and who will be all gratitude and docility to whomsoever provides them with the latest fashion of moral sugar-plums; whereas, so far as my experience and information goes, children are the most formidable literary critics in the

world. Matthew Arnold himself has not so sure an instinct for what is sound and good in a book as any intelligent little boy or girl of eight years old. They judge absolutely; they are hampered by no comparisons or relative considerations. They cannot give chapter and verse for their opinion; but about the opinion itself there is no doubt. They have no theories; they judge in a white light. They have no prejudices nor traditions; they come straight from the simple source of life. But, on the other hand, they are readily hocussed and made morbid by improper drugs, and presently, no doubt, lose their appetite for what is wholesome. Now, we cannot hope that an army of hermetic philosophers or Mother-Gooses will arise at need and remedy all abuses; but at least we might refrain from moralizing and instruction, and, if we can do nothing more, confine ourselves to plain stories of adventure, say, with no ulterior object whatever. There still remains the genuine literature of the past to draw upon; but let us beware, as we would of forgery and perjury, of serving it up, as has been done too often, medicated and modified to suit the foolish dogmatism of the moment. Hans Christian Andersen was the last writer of children's stories, properly so called; though, considering how well married to his muse he was, it is a wonder as well as a calamity that he left no descendants.

JULIAN HAWTHORNE.

RECENT CRITICISMS OF THE BIBLE.

REV. MR. MORTIMER.

In discussing the question of public biblical criticism, which has been raised by the action of the Rev. Dr. R. Heber Newton, a careful distinction must be made at the outset between that sober, scholarly, and reverent criticism which helps men to a clearer knowledge, and therefore deeper appreciation, of the word of God, and the wild onslaughts upon holy Scripture, which, when addressed to a congregation of persons entirely untrained in the subtle science of criticism, threaten to deprive them of all that is positive in Christianity. Dr. Newton's criticisms are of the latter class. They are, for the most part, either attacks upon the Bible which have been answered again and again, or theories which, supported by one or two brilliant names, have nevertheless not been accepted by anything like a general *consensus* of scholars.

In this article I cannot attempt more than, on the one hand, very briefly to indicate some reasons for not attaching weight to the criticisms of Dr. Newton's school; and, on the other, to point out what I believe to be the cause of the present alarm, and, what is more important, its remedy.

During the present century, the attacks on the Bible have been chiefly along two lines: the objections of physical science, and the difficulties of historical, ethical, and textual criticism. As to natural science, it is always shifting,—the dogmas of to-day becoming the exploded theories of to-morrow. Its point of attack has been chiefly the Mosaic account of creation, and so positive and arrogant has it been that some of weak faith have trembled. But most of these theories have been disproved, and Moses again and again vindicated. For example, a few years ago scientists told us that, as vegetation depended for its growth on the actinic principle in the sun's rays, it was ridiculous to believe, as Moses states, that it appeared on the third day,

while the sunlight was not seen till the fourth. Now, however, it is generally accepted that the peculiar vegetation of the Carboniferous period, which answers to that of the third day, must have been prior to any direct rays of the sun reaching the earth, as it could only have been produced under the conditions of heat, shade, and humidity. So Moses was right, and so-called science wrong; and the point of attack of yesterday is, to-day, an evidence of accuracy in the Mosaic cosmogony, inexplicable apart from a belief in its inspiration. Science, which is always advancing, and therefore always changing, does not so much disperse the darkness in which we are involved, as expose the *ignes fatui* we mistook for light; and, while accepting its theories as working hypotheses in the fields of investigation, surely we may hesitate to apply them to the very different plane of revealed truth.

The study of the annals of the war which unbelieving criticism has waged against the different books of the Bible leads to much the same conclusion. As an instance, let us take the book of Daniel, because the assault on Daniel has been considered by this school one of its greatest triumphs. Let us examine one objection, that the book is historically inaccurate because—

(1) Belshazzar was not the last king of Babylon;

(2) The last king was not related to Nebuchadnezzar;

(3) The last king was not slain at the capture of Babylon.

For some time the enemy seemed to have a very strong case, since Herodotus, Berosus, Abydenus, Ptolemy's Canon, etc., all agree that the name of the last king was Nabonadius, or Labynetus II. He was one of the conspirators who murdered Laborosoarchod, and was not of royal blood; he was at Borsippa when Babylon was taken, afterward surrendered, and, instead of being put to death by Cyrus, was made Governor of Carmania; and further, the name of Belshazzar is not even mentioned by any historian. Altogether, the biblical account seemed irreconcilable with secular history. In 1838, M. Quatremère, in the "Annales de Philosophie Chretienne," suggested as a possible solution of the difficulty that Belshazzar, a scion of the royal family of Nebuchadnezzar, had been associated with Nabonadius in the kingdom, in order to strengthen the usurper's position, just as the first Mameluke Sultan of Egypt was obliged to associate with himself a young child of the family

of Saladin. This was but the hypothesis of a devout and learned critic, who was laboring to explain difficulties in the word of God, and not to make them.

But in 1854 the name of Belshazzar was deciphered from cuneiform inscriptions at one and the same time, independently, by Oppert in Lower Chaldæa and by Rawlinson in England; and later an inscription was translated by Dr. Hinckes, which showed that Belshazzar was the eldest son of Nabonadius, and of royal blood, since the usurper seems to have married a daughter of Nebuchadnezzar, and that he was made co-regent. He appears to have been intrusted with the defense of Babylon, while the King, after being defeated by Cyrus in the open country, shut himself up in Borsippa, and on learning of the capture of Babylon and death of Belshazzar, surrendered and was made Governor of Carmania.

Here again the point of attack of one age becomes in the next an evidence of extreme accuracy, and this explanation is borne out by a very remarkable and undesigned coincidence. In Dan., v. 16, Belshazzar says that Daniel shall be third ruler of the kingdom. Why third? Because he was only second himself. This is but one instance, but I believe I am acquainted with nearly all that has been advanced against the book of Daniel, and I do not know any objection that has not been satisfactorily answered.

As a science, criticism is in its infancy. Critics even of the same unbelieving school disagree on almost every point except that of endeavoring to destroy as much as possible of the word of God,—to name two of the most celebrated, Ewald and Baur. Ewald is quite certain that the gospel which bears the apostle's name is the work of St. John, and that the Apocalypse is not; Baur, on the other hand, from exactly the same evidence, concludes beyond a doubt that, while the gospel is not St. John's, the Apocalypse is his only authentic work in the New Testament. The Tübingen school, educated in an atmosphere of doubt, and with the tradition that for every critic to start a view of his own is the right thing, doubtless counts in its ranks some great scholars; but we must remember that they are but a small minority among the Biblical scholars of the world, and that men by their training as well fitted as themselves to appreciate the force of a critical objection, have seen no cause to be shaken by these attacks, but have met and replied to them.

But while pointing out thus briefly some reasons for not attaching any great weight to the criticisms of the school of which Dr. Newton is a sort of camp-follower, there is a more important question to be met,— the cause of the present alarm, and its remedy. Here I agree with Dr. Newton on one point, though I dissent very much from the conclusion he draws from it. I mean that the very false position in which the Bible has been placed by its worshipers is the cause of much of the trouble. At the Reformation a set of men, of whom Calvin was a representative, threw off the authority of the Church, and looking around for something to substitute in its place, they thought they had found exactly what they wanted in the Bible. They invented a theory of mechanical inspiration, which they extended to the very letter of the text, and exalted the Bible into a place it was never meant to occupy,— the place of the Church. Protesting against Mariolatry, they substituted for it Bibliolatry; and now that the utter untenableness of this position is being felt, men, as evidenced by Dr. Newton, rush into the other extreme, and the very Protestants (I use the word in its theological sense, as designating those who reject the authority of the Church) who worshiped the Bible, who took for their motto "the Bible, and the Bible only, is the religion of Protestants," in their indignation at finding that their idol does not sustain the character they gave it, are the first to attack it and tear it to pieces; and then they wring their hands, and cry, like Micah of old (Judges xviii. 24): "Ye have taken away my gods which I made, . . . and what have I more?" To judge from Dr. Newton's book, almost nothing.

But let us look back on the history of the Bible, that we may learn its true position. In the first three centuries of the Church's life, when Christianity was most pure, and Christians most zealous, when, in fact, Christianity converted the world, there was no Bible; so that for every one it can scarcely be essential, either to a true faith or a holy life. Gradually the books of the New Testament were collected, and, together with the Jewish canon of the Old Testament, approved by the Church, while many others, which made the same claim, were rejected. The Church, which existed in all the plenitude of her power before one word of the New Testament was written, approved these books, not because she based her doctrines on them, but because she found these Scriptures in accord with

her teachings, and recognized them as inspired by the same Holy Spirit as herself. It was not till the third Council of Carthage (A. D. 397) that the Church framed her canon of Scripture, and before this the most glorious of the saints and martyrs had lived and died without any Bible, or, at most, with a stray book or two, about the genuineness and authenticity of which they had no certain knowledge; for in those days some of the spurious books were better known than the canonical ones. Then, again, printing was not invented till the fifteenth century, and there were but a few hundred manuscript copies of the Holy Scriptures in the world. It was impossible at that time for the great majority to read the Bible, and yet I see no reason to doubt that there were as good Christians in those fifteen centuries as there have been in the last three.

Meanwhile, we must recollect that it was the Church which first gave the Bible to the world, and the Church which, through all those centuries, preserved the Bible; but while she reverenced and loved it, and taught it to be the word of God, she never put it into the false position it has occupied in the Protestant religion; she never claimed for it what it does not possess, so exposing it to be torn to pieces by the wolves of unbelieving criticism. She said, it needs an authority on which to rest, and for its right understanding an interpreter; I am both.

The Bible commends itself to my reason and to my heart; but this is not the ground of my faith in it. I believe it because I believe in the Holy Catholic Church, and that Church has said it is the word of God. What the Church has said about the Bible I must believe; where the Church has not spoken, I may follow the opinions of theologians or critics. Now the Church has abundantly witnessed to the fact that the Bible is inspired, but has not put forth any particular theory of inspiration; much less has she countenanced the theory of which Dr. Newton's views are an exaggerated reaction. The writers were inspired to teach moral truth, not history nor science; and their language was the language of their day,—not technical, and yet, I believe, always true. Errors of copyists have crept into the text, but not so as to obscure God's revelation; and the immense variety of slightly different writings is the strongest independent evidence of the purity and accuracy of the text.

There may be uncertainties as to the origin and date of different books of the Bible, but this does not in any way dis-

turb the child of the Church, who has been taught, not that the Bible is a manual of science or history or chronology, but that it is the word of God, able to make him wise unto salvation who rightly studies it, and that it contains, not food for the interesting speculations of human ingenuity, but food for his immortal soul; not a rule of faith which every one can interpret for himself (for his rule of faith is contained in the creeds of the Church), but a means of communion with God, a guide to holiness of life. Critics may prove their theories if they can (though they have not yet done so), and they may rob the poor Protestant of his Bible, but they never can take away one jot or tittle of what the Church has given to her children.

Some may say, are you not, after all, recognizing Dr. Newton's position? No; for he is practically driven to confess that man has no certain means of discovering or testing truth. He admits that there is some truth in the Bible, a sort of residuum which will be left when critics have finished boiling it down, just as there is in the Vedas or Koran, only rather more of it; but no one can tell when that residuum is reached. The only authorities he knows are the Bible and his own judgment. He seems to think the Bible very untrustworthy, and the mistakes of his book prove that his judgment is not a very reliable guide. So he is like a ship on the ocean without rudder or anchor, shifting her course with every change of wind, drifting no one knows where.

Is not Dr. Newton's teaching, then, greatly to be feared? Will not its effects be disastrous to the Church? No; doubtless it may seriously injure the souls of some individuals, although probably most of his followers have not much faith to lose; but the gates of hell can never prevail against the Church, and while deeply deploring the scandal he as a priest of the Church has caused, it is not difficult to see how out of the evil God may bring good, and how Dr. Newton may be an instrument in breaking down that very Protestantism of which he is the logical representative; for when people have got over their first fright, and have begun to think, many will feel

(1) That they cannot live without religion.

(2) That they cannot rest on the canon, "the Bible, and the Bible only, is the religion of Protestants."

(3) That there is but one resting-place, the Church of Christ.

License to think and believe what they please may be sweet while its novelty lasts; but when men have grown tired of change and seek rest, and, like Noah's dove, find no resting-place, they will gladly return to the ark of the Church, there to abide until the floods of human doubt have subsided; and in a new heaven and new earth they see and know all things clearly.

ALFRED G. MORTIMER.

REV. DR. NEWTON.

BIBLICAL criticism, as a literary specialty, is practically the work of our generation. It has grown up in the face of great obstacles. If it were not a true child of the *zeit-geist* it would have died out long since, under the abuse its infant voice called forth.

It has, on the contrary, lived and flourished; finding itself, like other human naughtinesses, first pitied, then endured, and at length embraced. Every movement of thought, in the church and in the world, has stirred up questions lying in its sphere. Physical science in particular has forced on the reluctant churches a re-opening of the judgment passed upon the Bible. Every effort to arrest proceedings has proven futile. He is strangely deaf to the voices in the air who does not recognize that this case is called for a new hearing. The nature of the Bible is plainly the next great issue in the historic progress of Christianity. It ought not to be difficult to see the reason of this fact. While men are content under an absolute rule, that rule must, on the whole, be suited to their condition. When they grow restive, the yoke must be galling their necks. In the church, as in the state, external authority is undoubtedly a necessity for men in the earlier stages of development. Until the reason is so far educated, and the spiritual consciousness is so far awakened, that man shall of himself own and obey the Eternal Laws, there must be a king by right divine, commanding thought. Sooner or later, it is inevitable that the growing mind of man shall question any external authority in religion. If it is free to do so, it may peacefully work over again the old beliefs into new forms of faith; if it is forbidden to do so, it at once suspects the authority that shrinks from the light, and is thus in danger of throwing away the belief imposed. While

every new thought must be haled before a Papa or Pope, whether seated on a Church or on a book, there can be no inquiry and no progress. If the advance of knowledge establishes an error in an ancient decision of this supreme tribunal, and the fact is met by an insistance upon its infallibility, a revolution is inevitable. We ought to have learned the truth of this from our late adulatory commemoration of the monk Martin. Three hundred years ago it was an infallible Church which provoked a revolt. Now it is an infallible Book. The one alone ultimate authority for truth is Reason. Faith must be so shaped intellectually as to be reasonable. It can be so shaped. Being so fashioned, it will be found to be the substance of our fathers' faith,—unless Christianity be a delusion. But, as said, the one condition of this remolding of belief is freedom. This I understand to be the animus of the revolt which is spreading so fast through the churches against the traditional view of the Bible.

This has been the secret of the instinct drawing the churches toward biblical criticism. It has not been the fresh interest gathering around these old writings, under the new lights of criticism, that has attracted men to this study, wonderful as this change has been; but it has been the discovery, in these new lights, that the book once supposed to have dropped out of the skies, as a meteorite, really belongs to human "letters," and as such is no infallible despot over the intellect and conscience. Whatever the ultimate results of criticism concerning literary details, the immediate general result concerning theology is that men of open minds who have followed this study carefully, have experienced a complete disillusion as to the nature of the Bible. That is an accomplished fact with a considerable body of the clergy in all churches. That body is certain to increase rapidly. Already the lines are drawn between the elder and the younger clergy, and the young men have the day before them. This is most surely a victory for religion, which, as it thus gains freedom to think, will think itself peacefully into new clothes, and go on with its benign work in the world.

We thus find the key to the problem proposed—the wisdom of popularizing the new biblical criticism. With those who see no need of any theological moulting, there can be no discussion of such an issue. The priests who stood waiting to see Uzziah drop dead could hardly be asked to debate the propriety of everybody's free handling of the Ark. But many men who

sympathize with the new criticism sincerely hesitate about throwing open to the people the halls where scholars are discussing its problems. Their objections appear to sum themselves much as follows: (1) Criticism is still too uncertain of its conclusions to justify its going before the public. (2) It as yet, therefore, belongs properly to scholars alone, the clergy being allowed within their privileged inclosure *ex officio*. (3) The premature agitation of its questions will only spread doubt and demoralization. (4) The urgent need of our age is positive teaching rather than "mere destructive criticism." (5) The people are themselves unripe for such truths. The answer to these objections can, of course, be only outlined.

First. As to the immaturity of biblical criticism, a word is sufficient. There is plainly no such *consensus* established among scholars as will warrant any one in proclaiming dogmatically a new set of conclusions, touching the details of authorship, date, structure, etc., of the various writings of the Bible, in place of the old theories. This purely literary aspect of the study, however, probably goads few minds to immediate utterance. As already said, it is the bearing of this study upon the general nature of the Bible which really gives it so deep an interest to the clerical mind, and which prompts to its communication to the people. And this changed light is spread over the book by the spirit of criticism without waiting for its completed results. It already leads men into a thorough realization of the purely literary character of the books of this library, and that is all which is needed or desired in the interest of theological reform. Few care to prove Ewald's six narrators in the Pentateuch, or Kuenen's date of its last edition, or Goldziher's mythical interpretation of its personages; while many care greatly to prove its general nature, as no literal history, extracted from the pages of Moses' Journal, where it had been written under the dictation of Jehovah, but a late composition, embodying the traditions and legends and myths of the Hebrews,— thus dissolving the superstitious view of this book, which antagonizes science, burdens faith with superfluous miracles, posts a supernatural priesthood at the foundation of religion, and thus blocks all theological readjustments.

Second. Concerning the new criticism, as a subject fitted as yet only for the knowledge of the clergy, it is almost enough to clothe in words the feeling which appears to have whispered

itself among the brethren in some professional conclaves, when no reporters were present.

How is a clergyman who has gradually come to see the Bible in a new light to go on preaching as though no change had come over his vision? The Bible provides the chief subject-matter of his sermons, and his view of it will necessarily shape his handling of that material. He cannot avoid betraying his changed thought, except through a systematic repression of his convictions, which will eat out the finest fiber of his being. And as these new lights creep out through chinks of his sermons, his people, if ordinarily intelligent, will suspect the change he may not confess. That vague suspicion will be infinitely more harmful than the frankest utterance. Its first effect will be to taint the pulpit with insincerity. The last blow to the waning power of the pulpit will be given when this suspicion spreads. Some time since there appeared a pitiful letter in "The Spectator," from a clergyman, asking how the clergy could regain their influence over the laity. It was followed by a note from a layman saying, pithily, "Persuade the laity of your honesty." There are times when silence stabs faith. Such "reserve" will certainly lead into that ancient and fatal snare of religion, in every land and under every creed,— the growth of an esoteric faith of the scholarly few behind an exoteric faith of the unscholarly many. With the advance of knowledge every civilization has seen such a divorce of classes. The traditional stories of the gods have been resolved by the learned into myths and legends, which have furnished pleasant pastures for scholarly priests within their cloistered walls, while in the outer courts of the temples these priests have gone on repeating the old tales as literal truths. Thus the masses have been left stagnating in puerile superstitions, which have spread a dry-rot through religion, while the few thoughtful minds of the people have been driven into a revolt, in which all belief has been thrown off scornfully as a fraud of priestcraft. Is this the tale of history which wise and conservative doctors would have repeat itself in Christianity?

Third. When it is said that the opening of this criticism will spread doubt and unbelief, and will thus lead to great demoralization, an undeniable truth is uttered, which may well "give us pause" in any overhasty action, but which should, by no means, cause us to abandon the endeavor to acquaint the

people wisely and reverently with the truth. It is very sad that it should be so; but when was it ever otherwise in the history of religious progress, or when is it likely to be otherwise in the future? Majorities, as our English Isaiah told us over his eye-glass, are always wrong.

Every new season in which Religion has felt moved to change her clothes has found hosts of distressed souls exclaiming that the new dress was no dress at all,— a scanty apron of fig-leaves at best, sure to display her nakedness, and never cut from celestial fashion-plates. Socrates was to the Athenians a denier of the gods and a "corrupter of the youth." Jesus was condemned by the priests of the church on the charge of "blasphemy." Paul and his disciples were "atheists"; and as for Brother Martin, with his new-fangled notions about a fallible Church, was he not known to have been begotten by a hellish incubus on the body of Hans Luder's wife, as the very Anti-Christ? In truth, an ooze and thaw of faith has come with every spring-time. Belief has seemed to be deliquescing in a slush of doubt. Skepticism has grown rank, and has rotted into immorality; yet none the less has the summer worn on apace, the new growth of faith ripened, and in due time been garnered in a creed which has fed man through another chill winter of the soul. The new view of the Bible is spreading doubt! Is then the old view of the Bible making no doubters? Are our educated classes being lulled into happy dreams of faith by the pleasant stories of Lot's wife and Elisha's bears, of Jonah's big fish and of Shadrach, Meshach, and Abednego in the fiery furnace? Is the mission of Moses proven to our age, not in the self-evidencing of the sublime spiritual truth with which he is sent of God to the nation, but in the sight which the legend gives us of his training under Yahweh to beat the Egyptian magicians? Is the character of God cleared from the clouds that nature's anomalies gender, by having the savageries and bestialities, the superstitions and blasphemies of the early Hebrews, thrust upon us as the very word of God? Is the historical reality of the Holy Christ certified to us on the authority of that reasonable and reputable Type of the Messiah — Samson?

Are the stalwarts of orthodoxy really prepared to recommend such heroic treatment for the malaria of doubt? Judging from the late General Convention of the Episcopal Church, we might

conclude that they are. Grave and learned doctors seriously and warmly debated whether the word of God would continue to be heard if Balaam's ass were not allowed to speak in the new lectionary! "Sometimes an ass may speak and act more wisely than a man," said one delegate — an admission, drawn from that fellow-feeling which makes us wondrous kind, amply justified by the almost unanimous vote of the dioceses on the question whether the ass should continue to visit our churches and bray his message!

Every candid man ought surely to know that faith in the Bible, as the record of a real revelation from God, is to-day honey-combed with questionings, because the stale cry "all or none" is dinned into men's ears from the pulpit and the press. The atmosphere of our age makes the unnecessary miraculousness of the early part of the Old Testament unbelievable.

Our very children feel it and puzzle their poor mothers. Young men are rashly throwing away their Bibles as outworn, and concluding Christianity a fraud. For several years a gifted orator has been lecturing through the country, to crowded audiences, sowing, so say the clergy, broadcast the seeds of infidelity. What has given him this power to break down faith? Not all his rare eloquence and resistless wit could have availed to close a single Bible had the Churches taught men to read it rationally. The clergy have held up the Bible-fetich against which he has poured his merciless invectives. They have feathered his straight arrows and sharpened his barbed jokes. From that reasonable thought of the Bible which the clergy ought by their education to have gained, and which they ought to have taught the people, his shafts would have fallen harmless, their points blunted into flatness.

Fourth. As to the supreme need of positive teaching in our age, and its safe action in sloughing off effete notions, there can be no question. Whatever it be that a preacher really believes "in his heart," that should undoubtedly constitute the staple of his preaching, and be chiefly trusted to displace the errors of his hearers. The inner and spiritual aspect of the Bible, which must be before every honest minister, in some light, as a real word of God, should be constantly thrown into the foreground of his sermons. He would be, indeed, a tyro in character-culture who expected to fatten souls on mere negations, whether about the

Bible or about the beliefs bodied in it. But the soundest principle may be pushed too far.

The subjects on which a preacher can be positive to-day, are the purely spiritual verities. These are not seriously in question. Our difficulties in religion lie in the intellectual strata of truth. Man is made up with reasoning powers as well as with intuitions. His understanding must be helped, if only so far as will lead him where he can see that which will cause him to be silent and to trust the instinct of the soul. A secondary duty of the pulpit to-day is to go, cautiously but fearlessly, to the help of the reason meshed in the toils of doubt. This involves more or less of so-called negative work. Truth is always correlative. To affirm anything is to deny some other thing. One cannot say that a horse is black, without implying that it is not white. If the hearer holds to a belief in the correlative of a speaker's affirmation, this positive word comes to him as a negation. He will ask why his thought is contradicted, and how that contradiction is substantiated. Some amount of negative work is therefore a necessity, if there are to be any intellectual processes carried on. Nature knows no constructive agencies which are not destructive forces, in the mental as in the physical world. The measure of that negative and destructive work, and the methods of it, must be left to the judgment of individual teachers — which it will painfully exercise.

A teacher cannot shut himself up to positive affirmations of the spiritual character of the Bible, in an age which is steeped in the traditional thought of a miraculous book. Teacher and taught will find themselves, under such preaching, in puzzling cross-lights.

The preacher will discover that his reverence for the word of God contained in the Bible, turns, in the layman's mind, into a superstitious awe of the books in which that divine word is articulated, according to man's poor powers. He will find his positive truth bolstering up positive errors that sorely need to come toppling down, in order to a reconstruction of faith. If he incidentally recurs to the thought of a distinction between the divine and the human elements in the Bible, he will find his more thoughtful people asking, How are we to frame a conception of the Bible as at once the word of God and the words of men, and how are we to apply this general principle to par-

ticular writings? Some systematic instruction of his people will be forced upon him. And, if he fears the "mere destructive criticism" which this instruction will entail, he may comfort himself by recalling the experience through which he himself was freed from slavery to the letter of the Bible. Did he gain that emancipation by dwelling wholly on its positive, spiritual truths alone? Did he not gain it through an intellectual study of its literary character — through criticism? Did he not suffer an eclipse of those heavenly lights for a longer or a shorter time, as the shadow of criticism stole across the sky? And did that obscuration end, thoroughly and happily, except as, instead of trying to drive the opaque knowledge back, it was welcomed out before the face of the sun, and proven to be after all transparent by the old light's bursting through the veil? Why should he expect any other process to be ordained for his people?

Do laymen belong to another species of the genus homo, concerning whom it is unsafe to argue from the clerical nature? What clergyman that has trusted truth and spoken honestly to his people — if under the guidance of that Spirit which said of old, "I, Prudence, dwell with Wisdom" — has not found that he has at length renewed a solid faith in them, through the same way by which he himself was led back to the heart of the old belief? And in truth, it is quite time to have done, among educated people, with the cant of "mere destructive criticism." Biblical criticism is no more merely destructive than is any other new knowledge, which always pulls down some old thought in cleaning the ground for its higher revelation. It destroys such of the traditional theories concerning the authorship, date, structure, aim, etc., of the biblical writings as were unsound; but it settles firmly on solid ground such of these traditions as were substantial, while it builds up, in the place of the errors it has uprooted, knowledge of a very positive character, giving a new and powerful realism to books that were the most unreal in the sacred canon. It destroys the effete notion of the Bible as a miraculous, perfect, and infallible book, the supreme arbiter over reason and conscience; but it constructs a rational idea of the Bible, as the human records of most real revelations in the consciousness of the people of religion — the record of the highest historic manifestation of God, in the person of Jesus Christ; and it leaves our spiritual natures free to go to this book for comfort and cheer, for light

and inspiration, without hearing the mocking whispers of our critical faculties. It is this hated and abused "mere destructive criticism" which has plainly come, under Providence, in the right hour, to save our fathers' Bible, and to hand it on to our children in a new version, readable by the reason and thus believable by the soul. Its fruits seem now perhaps rather hard and juiceless, and sour on our taste; but let them have time and they will soften and sweeten. Thus it will be found anew that "by every word that proceedeth out of the mouth of the Lord doth man live."

Fifth. All other objections sum themselves into the feeling—and what so hard to grapple with as a feeling!—that, whatever may be the abstract wisdom or necessity of popularizing biblical criticism, the people are not yet ripe for it. Unripe movements, we are told, always fail. A revolution that arrives ahead of time proves an abortion. A reform that runs too fast gets a bad fall, which lames it, if it is not killed outright.

Many friends of the new thought of the Bible fear that it is ahead of Providence's time-table, and are signaling "slow up." One may well ask, with all respect to these careful brakesmen, what are to be the signs that this new thought is due. Would it be rash to suggest an answer, in part, as follows: When the old thought has become vague and unreal; when it has thus lost its former moral and religious power; when its light is viewed suspiciously, and men no longer walk in it buoyantly; when its veracity is questioned, and its authority stands impeached; when its marvels serve to point the flippant jest, and the thunder of its voices of judgment no longer awes the conscience; when the dust gathers upon it on men's book-shelves, and mothers open it on the nursery tables with puzzled minds and troubled hearts; when the prattle of children's tongues anticipate the results of the scholar in his library; then, surely, the time has come for a new thought of this venerable book! Religious teachers may well hear again the plaint of the Master—Can ye not discern the signs of the times?

In what cloistered shades have the good souls dwelt, who do not see that, despite the care of the rabbins, biblical criticism is out among the people? The Bible for Learners has not asked leave of the churches to get itself printed; and, though pious book-sellers look well around the store before handing it down, it is bought and read, with many another kindred book.

The new criticism is leaking from hosts of pulpits, and is tincturing editorials. It is soaking into the body of public opinion, and is charging the atmosphere of society. It is "in the air" even now. Its popularizing cannot be prevented. That work may be left to an unspiritual rationalism, which will needlessly disturb by it the historic rootings of Christianity, or to a crass infidelity, which will use it to raise a rank crop of irreligiousness. It may, on the other hand, be preoccupied by a devout Christian learning, and made to feed a fresh and vigorous growth of faith, a belief in the Bible at once rational and reverent.

This seems about the only choice left to the Church. Not long since, in a meeting of gentlemen, all of whom were men of business, a leading banker said, with the approval of the company: "The trouble with the clergy is that the laity are ahead of them on this matter: they have made up their minds upon the general nature of the Bible." Where least suspected the negative spirit of the new criticism has stolen abroad, and the task of the clergy is to follow it with the constructive work, which can only be done by frankly owning the destruction that has been wrought.

Circumstances have lately placed the writer of this paper in a position which brought him in contact with a class of facts concerning this question that are not ordinarily laid bare. Could the letters that have come in to him be given to the public,— letters from ministers who have ceased to preach; from mothers fearing to talk with their little ones; from men who have found new faith through the "mere destructive criticism"; from those who for the lack of the view of the Bible to which it leads have dropped away from the Christian churches,— they would yield the best practical confirmation of the position taken in this paper.

Senator Blair recently stated that the general testimony of the leaders of labor organizations before the Senate Committee, was to the effect that the Evangelical Churches were steadily and rapidly losing hold of the working-men of this country. In connection with this statement, a few extracts from a workingman's letter may yield food for further thought upon this topic:

"With respect to religion, I find either a gross superstition, a knavish cant, or a boldly avowed infidelity. . . . The infidelity is a want of correct knowledge and teaching of the true aim of religion. . . . It (this

new thought of the Bible) has taken away the rubbish that encumbered those truths (the 'eternal truths' to which he had just referred). I knew that inspiration from God was in the Bible, but you have shown me where to look for it. 'The letter killeth, the spirit giveth life.' . . . Religion is misconstrued on account of its old setting. It has grown out of its old clothes. . . . You said you were sorry that the meat to your flock had proven poison to others. It is not so. We want more and more of such meat. The great body of men are hungering for it. We want the truth. It is the only thing that can make us free."

R. HEBER NEWTON.

THE

NORTH AMERICAN REVIEW.

MAY, 1884.

No. 330.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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1884.

NORTH AMERICAN REVIEW.

MAY, 1884.

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NORTH AMERICAN REVIEW.

No. CCCXXX.

MAY, 1884.

DEFECTIVE NATURALIZATION LAWS.

It is a common remark that citizenship of the United States is a greater political privilege than is citizenship of any other nation. It not only constitutes its possessor a constituent member of a great community, gives him a title to all the civil rights asserted and secured by our institutions, and to the protection of the Government at home and abroad, but, as it makes him also a citizen of the State wherein he may reside, it enables him to participate in the Government itself. Even if he be a person of foreign birth, when naturalized he stands on the same plane on which all native-born citizens stand, except that he cannot be a President or Vice-President of the United States. He may have a voice in the choice of governmental officers, may share in making the laws of the land, and in administering or executing them.

But if citizenship is valuable to the person who has it, it is more important to the Government that acknowledges it. In the United States, public policy and prudent governmental action are peculiarly dependent upon the character, intelligence, and conscientiousness of the citizens. More than elsewhere the Government is, and it must ever be, what the citizens make it. Hence it is of the highest importance that, so far as possible, all who are citizens should be fitted for the discharge of the trust

which citizenship confers upon them. Especially is it desirable that the laws which regulate the admission of foreign-born persons into citizenship should be wisely framed and executed, if the beneficent working of our institutions is to be preserved. In no other country on earth does so large a proportion of the population consist of immigrants from foreign lands, untrained in early life under its institutions, unaccustomed to its social habits, ignorant of its history, often unacquainted with its language, but admitted to control its institutions and its laws. Yet our naturalization laws have always been more liberal and less exacting than those of any other civilized nation. There were reasons for this in the early condition of our people. Before their severance from Great Britain the colonists were spread over an immense territory, of which nearly the whole was susceptible of cultivation, but only a small portion cultivated. In all parts of it there were tribes of Indians, restless and often hostile, imposing upon the colonists the necessity of being ever prepared for defense. Considering the large extent of territory occupied and claimed, the colonists were few and weak in resources. It was obviously desirable that their number should be greatly increased, alike to strengthen them for defense and to develop their material interests. If development and growth are always coveted by civilized communities, there were special reasons why they were desirable for the colonies in their infancy. Very naturally, therefore, and reasonably, they sought to invite immigration. They welcomed every fresh arrival from Europe, and held out all possible inducements to increase the incoming. One of these inducements was the offer of speedy naturalization. Each colony prescribed rules for obtaining citizenship, compliance with which was easy, and which offered to all who for any reason desired to obtain land, or to enjoy freedom and equal rights with all others, strong inducements to seek a home in this new country. The rules for obtaining naturalization differed in the several colonies; but they were all exceedingly liberal, — so liberal that they encountered opposition from the British Crown. That opposition caused much irritation in the colonies, and in the Declaration of Independence it was included in the catalogue of wrongs charged against the Crown, that the king had "endeavored to prevent the population of the States by obstructing the laws for the naturalization of foreigners, refusing to pass others to encourage their

migration hither, and raising the conditions for new appropriations of lands." Such was the condition of things, and such the popular feeling, when the Constitution was framed in 1787. There was then the same need for an increase of the population, and the same desire for it; and, as the people of the several States were about to be included in one nationality, it was necessary that the rules for naturalization should be uniform throughout the country. The Constitution therefore conferred upon Congress power to establish such rules, and by the earliest Congress they were established. At first, two years' residence within the limits of the United States only was required to enable a foreign-born person to obtain naturalization. In 1795 the period of residence was enlarged to five years, and in 1798, to fourteen years; but in 1802 all prior acts of Congress upon the subject were repealed, and an act was passed which has ever since been in substance the law. Omitting reference to some slight modifications, all of which tend to greater liberality, the law as it now exists allows any alien white person or person of African nativity or African descent to be admitted to citizenship on the following conditions:

First. He shall declare on oath, before a Circuit or District Court of the United States, or a District or Supreme Court of the Territories, or a Court of Record of any of the Territories having common law jurisdiction, having a seal and a clerk, two years at least prior to his admission, that it is, *bona fide*, his intention to become a citizen of the United States, and to renounce all other allegiance. (This declaration need not now be made before a court. It may be made before a clerk of any of the courts.)

Second. He shall, at the time of his application to be admitted, declare on oath, before some one of the courts above specified, that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty.

Third. It shall be made to appear, to the satisfaction of the court admitting such alien, that he has resided within the United States five years at least, and within the State or Territory where such court is at the time held one year at least, and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States,

and well disposed to the good order and happiness of the same; but the oath of the applicant is not allowed to prove his residence.

Such are the rules regulating the admission of foreign-born persons to citizenship, under which such multitudes of aliens have been admitted. Aliens who are honorably discharged soldiers may be admitted after a residence of one year, and seamen in some cases after three years' service.

These regulations present two subjects for consideration,— the qualifications for admission to citizenship, and the process required. The principal qualification is residence within the limits of the United States five years, one of which must be in the State where the court sits to which application for admission is made. Another requisite is an oath to support the Constitution of the United States, and to renounce other allegiance. A third requisite is its being made to appear to the satisfaction of the court that the applicant has behaved as a man of good moral character, attached to the principles of the Constitution, and well disposed to the good order and happiness of the same. Practically the most important of these is the first. It may be that in the early history of the Government it was wise to admit to citizenship immigrants from foreign countries after a residence here of not more than five years. The necessities of the country may have demanded such a stimulus to immigration. Besides, at first the number was comparatively small, and most of those who did come were Englishmen, or English-speaking. There were, indeed, some Germans, or Dutch, or Swedes, or Huguenots; but the entire number of men, women, and children who came from foreign lands to make their homes here, between the close of the Revolutionary war and 1820, has been estimated as not more than two hundred and fifty thousand. The population of the United States in 1820 was nearly ten millions. The immigrants down to that period were too few to affect materially our national character. If they were all living in 1820, they were only two and one-half per cent. of the whole. Subsequent to that time, the number of immigrants increased at a remarkable rate. In 1850 they constituted nearly ten per cent. of the entire population of the country. This does not include children of aliens, born after the immigration of their parents. Down to this time more than two-thirds of those who came were English-speaking. In 1860 the foreign-born element had reached to the

proportion of 13.16 per cent.; in 1870, to 14.44; and in 1880 it was 13.33 per cent. of our entire population. In 1880 the total of foreign-born inhabitants was 6,679,943—almost seven millions. What it is now we have no means of ascertaining; but we know that since 1880 immigration has immensely increased. A general war in continental Europe would probably send over hundreds of thousands more.

It is worthy of particular observation, also, that in later years a far greater proportion have come from countries outside the British Isles than came prior to 1850; and this though the great famine in Ireland greatly stimulated emigration from that country during several years. A large majority now come from Germany, Austria, Italy, or northern Europe, or they are French Canadians. There is every reason to expect that this will continue to be the case. In view of these facts, gathered largely from the last census, a very grave question is presented. It is whether the time has not come when the period of residence, as a qualification for citizenship, should not be greatly prolonged. Citizenship of the United States is a much more important matter to the Government, and to the general welfare of our people, than is citizenship of any other nation to that nation. The naturalized alien becomes immediately, by force of the Constitution, not only a citizen of the United States, but also a citizen of the State in which he resides. Thus he becomes, like native-born citizens, a qualified voter in the State, entitled to vote at all elections, including those for members of Congress. He becomes a participant in the government of the State, and in the government of the United States. He thus is empowered to mold and, possibly, control governmental policy; and, acting with others, may have in his hands the perpetuity of our institutions It is even now notorious that citizens of foreign birth in some districts, cities, and perhaps even States, have the control of parties. They are sufficient in number to hold the balance of power. The voice of cities and of large sections of the country is their voice. Is this a state of things to be desired for the future? Let it be assumed that thus far neither our institutions nor our governmental policy has suffered; is the country assured for all time to come? How will it be with the increase of immigration from countries where the English language is not understood? Or, if the best interests of the country at large be not imperiled, may not local interests sustain

damage? Almost manhood suffrage everywhere prevails. Judges, city councils, township supervisors, and even school directors, are elected by a popular vote. Is five years' residence in the country sufficient to instruct the masses of foreigners who come among us, not merely in the nature and working of our institutions, and in the policy which the Government may wisely pursue, but in the management of local affairs, and in the conduct of our schools? Many of them have to learn the English language. Very many cannot read any language, and most of them are so occupied in obtaining the means of subsistence that they have neither time nor disposition to acquire that information they need to take part in the government intelligently. It may also be said with truth that five years are too short a time to wean many from controlling attachment to their fatherlands, where perhaps their kindred dwell. In case of international difficulties this attachment may interfere with full-hearted allegiance to the home of their adoption. This is illustrated in the conduct of some Irish immigrants, who have exhibited a readiness to violate our laws and embroil the country in controversy with England for the sake of their native land, and this though they are our naturalized citizens. Naturalization does not necessarily change the affections or expel an old love. It does not obliterate local attachments. The man remains the same though his relations to government be altered.

If the condition of the country were what it was fifty years ago, it might be well to bear the evils and encounter the danger of intrusting to a multitude of foreign-born persons a share in the government. But the time has gone by when hasty naturalization is necessary either for purposes of defense or for the development of material interests. The unstimulated increase of our population, it is believed, is sufficient for all the country's needs, without holding forth, as an inducement for aliens to come among us, easy access to a share in the government, to participation in legislation, in the choice of our judges, and in the conduct of our schools. The true greatness of a nation, the beneficent working of its institutions, and the well-being and prosperity of its people are not measured by the number of its citizens, but by their intelligence, conscientiousness, and obedience to law.

Prolonging the period of residence required prior to naturalization would be no obstacle to the incoming of those who desire

to improve their civil or religious condition or their material interests. The oppressed of other lands, invited by our free institutions, by religious liberty, by social equality, and by superior advantages for obtaining subsistence and property, would still seek a home here. Extension of the period would take from them no rights. It would, however, lessen possible dangers to the country. It would only withhold for a reasonable time the gift of a most important trust. We are accustomed to hear suffrage spoken of as a right. It is so only in an inferior sense. More properly may it be said that every person allowed to vote is a trustee of precious interests. He acts for others, as well as for himself. Caution is nowhere more needed than in the selection of a trustee. The immigrant does not need the trust of suffrage. In nearly all the States an alien may purchase and own lands, and transmit them by will or descent. He has all the facilities which a citizen has for acquiring property or transmitting it. He has equal rights to the advantages of our schools. There is no civil right which he does not enjoy in common with native-born citizens. The right to participate in the government, and the right to claim the protection of the United States when he is in foreign lands, are alone withheld from him. More than this. In many of the States, strangely enough, he is accorded political rights. In fourteen States he is allowed to vote for members of the State legislature, and consequently for members of Congress, after he has declared his intention to become naturalized, though he has never applied for naturalization, and never may. Thus he is allowed to participate in the government of a country of which he is not a citizen. This is a striking anomaly, believed to have no parallel in any other country. There are in the present Congress ninety-five members elected in part by such a constituency. This, however, if it be an evil, can be corrected only by the States, or by a change of the national Constitution. It is not a fault of the naturalization laws; it is rather an exhibit of an undervaluation of the vital importance of intelligent suffrage in comparison with growth of population.

In what has been said it has not been intended to call into question the undoubted fact that some foreign-born persons admitted to citizenship after a residence of only five years have been valuable members of the body-politic. Their understanding of our peculiar institutions, their just appreciation

of them, their general intelligence, and their genuine and paramount attachment to the country have contributed to the general welfare. They have been safe depositaries of political power. Some such accessions may be expected in the future. But what are they among so many? Can they outweigh the vast army of immigrants who have everything to learn, as well as much to unlearn, and who, in the struggle for bread, have little opportunity to acquire what is needful to enable them to discharge the trust of citizenship usefully? The vote of an untrained man is as potent for good or for evil as is that of the best qualified elector for good. With us it is numbers that count for power.

The other qualifications demanded by the law for admission to citizenship may best be considered in connection with an examination of the process of admission. The foreign-born person, having made his declaration of intention to become naturalized (which he may make before the clerk of any court of record in any State or Territory), presents himself to any court he may select, either State or National. He has a choice among a thousand, scattered over all the States in which he has resided one year. He may have spent the first year of his residence in New York, and during the other four years have had a roving residence in Arizona, Utah, or Montana, and yet he may make his application to a court in New York. The law does not require that the last year of his residence shall be within the State where the court is held. At the time of his application he must swear that he will support the Constitution of the United States, and that he renounces his native and all foreign allegiance. This is an oath easily and readily taken. It may be well to require it, but to what does it amount? To a vast majority of those who are applicants for naturalization it is unmeaning. They have never read the Constitution; some are unacquainted with the English language; and many, perhaps most of them, cannot read any language. What can they know of the principles they swear to support? To what, then, does the oath they take bind their consciences?

But further, it must appear to the satisfaction of the court that the applicant has behaved, during his residence, as a man of good moral character, attached to the principles of the Constitution,

and well disposed to the good order and happiness of the United States. How is that to be made to appear? The statute does not declare. It does not require that it shall be proved by witnesses. May it be attested by the oath of the applicant himself? Or may the court, in the absence of evidence to the contrary, adopt the presumption that all men are of good moral character, and have so conducted themselves? Undoubtedly good moral character is a reasonable requirement of any one who asks to be adopted into citizenship; but in practice who ever heard of an application for naturalization being rejected because the applicant did not possess it, or because he was not attached to the principles of the Constitution? No doubt, good character ought to be satisfactorily proved, as well as good conduct, and it ought to be proved by those who have had an opportunity to observe and know what the character and conduct have been. The law, however, makes no such requirement. It does prescribe that residence within the limits of the United States five years, and within the State one year, shall be made to appear by other evidence than the oath of the applicant; but not so in regard to the other qualifications. Moreover, the residence is not required to have been continuous. It may have been interrupted even by long intervals. It is even doubtful what constitutes residence within the meaning of the law. If a man has a family living in his house in Germany or Ireland, and he spends five years in this country, engaged in business here, interrupted only by occasional visits to his family home, is that such a residence here as the law contemplates? Or if his home and his family are here, and he spends a large portion of the five years abroad, and away from his family, but intending to return, is that a sufficient residence here? Such queries might be multiplied, and to them the statutes give no answer. The residence may be a roving one, like that of many miners and prospectors in the Rocky Mountains, of no value as a preparation for the trust of citizenship, and difficult of proof. It is a defect in the naturalization laws that they do not require a settled residence during the last year of the five in the State where the application is made. Such a provision was once made in regard to certain cases. For the naturalization of aliens residing in the United States prior to January 29, 1795, an act of Congress required the one year's residence of the applicant in the State or Territory

where the court is held to be immediately preceding the application. But those cases and that provision were exceptional. The general law makes no such demand.

It is another very serious defect in the naturalization laws that the proceedings prescribed on the application for admission to citizenship are entirely *ex parte*. The applicant makes his own case when and where he wills. He needs no witness, except to prove his residence; and that proof may be, and generally is, made by an *ex parte* affidavit. The affiant is selected by the applicant. There is nothing in the law that requires the witness to be a citizen. There is no cross-examination, no opportunity to introduce counter testimony. The United States are not represented, nor is any State. Neither of them has any notice of the proceeding, though they are profoundly interested in its results. The naturalization of every alien imposes upon the General Government an additional obligation. This is a matter of no small importance. The *ex parte* nature of the proceedings invites fraud, and furnishes great facilities for accomplishing it. It vitally affects the highest political interests. The residence of multitudes of foreign immigrants is so roving, so unsettled, it affords so little opportunity or disposition to acquire knowledge of our institutions, or to exhibit attachment to them, that it would appear to be reasonable to require that the evidence offered to establish it be subject to thorough examination, and to the tests which are usually applied in cases of much less importance. It must be conceded there is a difficulty in the way of making the proceedings for naturalization other than *ex parte*, so long as State courts are permitted to take jurisdiction of applications, and to adjudge conclusively that applicants be admitted to citizenship. But that is itself an anomaly, permitted originally, no doubt, because there were few United States courts, and State courts were more convenient for applicants. Now there are national courts in every State, and in many States there are several districts. To take care of the interests of the Government, there are United States district attorneys in all the districts, who could represent the Government in all naturalization proceedings. It certainly is remarkable and without precedent that the courts of one government are empowered to make citizens for another, without the knowledge of that other. It contributes, we cannot but think, to the laxity of the proceedings, and to the frauds which, it is currently believed, are very numerous.

The seriousness of the evils resulting from the fact that the proceedings to obtain naturalization are *ex parte*, will be better understood after observation of the practice in courts. Most of the applications are made in the State courts, and they are made in our large cities, where immigrants largely congregate. They are generally made shortly before an election. The immigrants are sought out by agents of political parties, in order to secure their votes. Then they are brought in great numbers into the courts. The court and counsel fees are paid by the party that has bargained for the votes. The witnesses to prove the residence of the applicants are produced by the agents. These witnesses are very frequently themselves foreign-born, and not infrequently unnaturalized. They may have, they often do have, very slight acquaintance with those for whose residence five years in the United States and one year in the State, or perhaps for whose character and disposition, they vouch. Very often the same person vouches for scores on the same day. The affidavits he makes are general, entering into no details. The witness is not asked what are his means of knowledge. The proceedings in the court are hurried, and often conducted by one of the clerks at side bar, while the Court is attending to other matters. It is notorious that in this way hundreds of persons are naturalized in a single court, and on one day, almost every year, the papers and affidavits all having been previously prepared. Could any system be devised more efficient to facilitate fraud or to cheapen citizenship in the estimation of persons thus naturalized? There is nothing in it which is fitted to impress them with convictions of the importance of the trust conferred upon them or of the responsibilities which attend it. It cannot be that such a system is consistent with the public welfare, or even safety. A person thus naturalized can hardly be expected to look beyond paying his debt to the party agent with his vote at the coming election. Very probably he would have made no application for naturalization had he not been stimulated thereto by some party agent, or if naturalization did not give him an immediate right to vote. Unfortunately, in all the States except two, immediately on the admission of an alien to citizenship all the political as well as civil rights of American-born citizens become his. The Massachusetts Constitution ordains that no person of foreign birth shall be allowed to vote, or shall be eligible to office, unless he

shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified according to the Constitution and laws. So the Constitution of California refuses the elective franchise to aliens not naturalized ninety days prior to any election. Such provisions can be made only by the States, but when made, they must tend to diminish the evils accompanying and following the practices we have described, and which are possible under the law as it now exists. They lessen the temptation, now so effective with warm partisans, to bring into the naturalization courts so many persons unfit for citizenship. In many cases, it is believed, the residence of such persons would be prolonged, with increase of knowledge and fitness, before they would, unsolicited, apply.

That the loose and easy mode of admission to citizenship, and the carelessness with which even that mode is pursued, facilitate the commission of frauds, cannot be denied. No doubt there have been a vast number of fraudulent naturalizations. Small as the requirements are, they have been evaded, or certificates of naturalization have been forged. In our intercourse with foreign nations, the question is often raised, whether a certain person has been naturalized, and it has been found difficult to answer it. No registry is anywhere kept of those who have been adopted into citizenship; and as the courts have decided that a record of naturalization need not show that the legal prerequisites have been complied with, because the admission itself conclusively shows that they have been, it is almost impossible to show fraud even where it existed. This is the more important, because the law contains no provision for revoking or vacating the record of a naturalization fraudulently obtained. President Grant more than once called the attention of Congress to this defect, but no action was taken in pursuance of his recommendation. In his messages he stated that provisions regarding uniformity in the records and certificates, and providing against the frauds which frequently occur, and for the vacating of a record of naturalization obtained by fraud, were greatly needed. They are needed for the protection of the honest citizen of foreign birth, and for the want of them he is made to suffer not infrequently. It may be added that they are needed for the protection of our Government at home, and are due to foreign nations. We have always insisted upon the

right of expatriation, and claimed that naturalization absolves the person naturalized from allegiance to any foreign power. Most governments whose subjects come among us now acquiesce in our claims, though reluctantly. It is due to them that they should not be defrauded by false certificates, and that they should have the means of knowing certainly which of their subjects have transferred their allegiance and become citizens of the United States. It is due to the naturalized citizen also. It may save him from annoyance when he visits his fatherland. A provision to vacate the record in cases of fraud, uniformity in the records and certificates, and a properly kept registry, would doubtless prevent many international difficulties like those which the past has witnessed. Some such regulations are becoming more and more necessary every year, in view of the large and probably increasing immigration from the German and Austrian empires, as well as from Italy and the north of Europe.

There are some other defects in our naturalization laws which we have not space to notice. One, however, may be mentioned. At common law, citizenship is incident to birth in the country. The child of an alien, if born in the country, is as much a citizen as the child of a citizen. This is an acknowledged principle here, as well as in England. It can be altered only by statute. Hence, children of American citizens, born in foreign countries, are citizens of those countries, and not of the United States, except so far as Congress has changed the common law rule. But the rule has been only partially changed. The statute declares that minor children of naturalized persons, if dwelling in the United States at the time of the naturalization of their parents, are to be considered as citizens thereof; and it adds that "the children of persons who now are (December 1, 1873) or have been citizens of the United States, shall, though born out of the limits and jurisdiction of the United States, be considered as citizens thereof." The latter part of this clause embraces only children of parents who were citizens of the United States in 1873, or who had been. It makes no provision for others. This defect has not escaped attention. In 1841 a bill was reported in the Senate, which provided that "persons heretofore or hereafter born out of the limits of the United States, whose fathers were at the time of their birth citizens of the United States, shall be deemed and considered citizens of the United States." The bill did not become a law. There have been two subse-

quent attempts to correct the law in this particular, both of which failed. It is quite surprising that in the revision of the Acts of Congress in 1873 the manifest defect was not corrected.

Upon the whole, it is very evident that the naturalization laws much need revision and amendment, if not repeal. Few, if any, subjects can be of greater interest to the country than the question, Who are to be its citizens hereafter?

WILLIAM STRONG.

MATTHEW ARNOLD.

It may be affirmed that those American readers of the works of Matthew Arnold, who have diligently followed him from his first to his latest volume, who have most keenly felt the fascination of his style and the limitations of his character, and who have scribbled over the margins of his pages with alternate notes of admiration and interrogation, will specially welcome the new edition of his writings published by the Macmillans. In an extended consideration of his labors much might be said in his praise, which the necessary brevity of this review compels us to omit; and our simple object is to state some reasons which account for the fact that he is not popular, in any large sense of the word, either on this or the other side of the Atlantic.

It is doubtless to be supposed that Mr. Arnold's estimate of our civilization will not be flattering to our national vanity or national pride. A writer who has repeatedly told his own countrymen that their higher classes are "materialized," their middle classes "vulgarized," and their lower classes "brutalized," cannot be expected to proclaim, after a few months' residence in this country, that the conduct, politics, society, science, and literature of the United States come up to the high ideal standards which he is accustomed to apply to other nations as well as to his own.

It may be said that the general characteristic of Mr. Arnold's poetry is moral and intellectual skepticism and despondency; and that the general characteristic of his criticism is moral and intellectual superciliousness. When he writes in verse from his inner self, from his "heart of heart," he moans; when he writes in prose he is prone to assume the air of "a superior being," condescending even to those he graciously applauds. When a man, in the expressive phrase of Dickens's Mr. Wegg, "drops into

poetry," it is supposed that some kindling sentiment prompts him to choose verse as the most appropriate vehicle for his outburst of thought and emotion. In Mr. Arnold's case this process is reversed. When he is out of spirits he sings; when he feels himself a being superior to his contemporaries, he criticises. In his mood of dejection, he embodies his feeling in a stanza like this, taken from his poem on "The Grand Chartreuse":

> "Wandering between two worlds, one dead,
> The other powerless to be born,
> With nowhere yet to rest my head,
> Like these, on earth I wait forlorn.
> Their faith, my tears, the world deride;
> I come to shed them at their side."

Also, when in a milder mood, but one which is still haunted by specters of a melancholy which seems inborn, and to lie at the very root of his nature, he declares:

> "Too fast we live, too much are tried,
> Too harassed to attain
> Wordsworth's sweet calm, or Goethe's wide
> And luminous view to gain."

It may be said that Mr. Arnold's sorrowful view of life in his poems is characteristic of many great poets. Byron, for example, is fiercely misanthropic in matters of human concern, where Mr. Arnold is merely gently despondent and despairing. But Byron's original, not to say aboriginal, energy of nature, is so great that, while his thoughts tend to depress the soul, his energy stimulates it. We get from his poems few principles on which a rational human being would think of basing his conduct; but he inspires, impels, inflames hundreds of thousands of readers who have no sympathy with his misanthropy. Mr. Arnold goes deeper, perhaps, than Byron into the causes which induce many thinkers to be dejected in surveying the phenomena of human life, but he lacks Byron's immense vigor. A comparative feebleness of constitution prevents him from giving to his thoughts the great element of Power. This is said without questioning the exquisiteness of much of his poetry, and the delight it communicates to many cultivated minds; but its effectiveness on ordinary readers is injured by the general melancholy of its tone, and by its lack of impassioned imagination.

One cannot speak of Matthew Arnold without thinking of his father, whose biography by the late Dean Stanley made at the period when it was published so deep an impression. It stimulated the reader to carry liberal and generous ideas into practical work for the good of mankind. The father had the great quality of soul. Everybody felt that he announced no principle for which he would not willingly have died. In fact, he was recognized as a spiritual force; and he communicated spiritual life because he was himself all alive. It can hardly be doubted that the scholarship of the son is far richer and larger than that of the father; that in theology he has advanced to conclusions from which the father would have recoiled; that he has successfully occupied regions of literature which the father barely entered; and that even in matters of education, especially the education of the middle classes, the son is far beyond the father in clear ideas and methods of culture; yet the son, with all his intelligence and acquired knowledge, has not the father's magical gift. He can inform, but he cannot inspire and invigorate. The soul is wanting. That wonderful passage of experience and intelligence into will, by which high reason, or even ordinary good sense, impels reasonable minds to instant action, is lacking in the most radical of Matthew Arnold's teachings and preachings. We agree or disagree with him, as we read; but, if we agree, we receive from him no impulse to conform our conduct to his ideas. It would be difficult to detect among those who most admire his writings a single individual who has been led to act nobly by any inspiration derived directly from his numerous books. And yet most of these books are specially marked by the emphasis laid on righteousness, and on self-renunciation as the fruit of righteousness.

The explanation of this fact is not far to seek. The expansion of his intelligence has been purchased at the expense of weakening his will. It cannot be said that he is destitute of the peculiarities and infirmities of individuality, however much he may be lacking in its powers; for no modern writer of equal reputation and genius is so full of idiosyncrasies and tastes and distastes, especially the latter. But the heart of his being is not thoroughly sound and strong. Something languid, discontented, dissatisfied; something which makes the impression of a certain subtle, feline resentment at the non-

acknowledgment of his own claims to eminence, is observable in the inmost recesses of his moral nature. A compassionate contempt for other minds appears to be a necessary condition of any self-satisfaction he may find in contemplating his own. This ungracious quality too often takes the form of a condescension which exasperates alike those who agree and those who disagree with him in matters of literary, political, and theological discussion. Now the Almighty may very properly condescend to the human beings he has created; but he is the only being who has a right to condescend,— except, it seems, Mr. Matthew Arnold; and the latter uses the privilege at times in a fashion which makes us regret that the exception was made in his favor. It may be affirmed that you may do all in your power to injure a fellow creature, even if you go to the extent of robbing, torturing, and enslaving him. He may sullenly bear these injuries; but beware of condescending to him! No man can descend so low without acutely feeling this last insult to what is immortal in him, his personality.

It is difficult to illustrate Mr. Arnold's superb superciliousness except by examples drawn from that department of life where superciliousness reigns supreme, namely, fashionable society. Thus it is reported that two high-bred women, one from New York, the other from Boston, happened to meet in what is ironically called a "social" circle. Both were rich and accomplished, and both claimed to have ancestors. Boston, in the course of a little conversation between the two, alluded, in the most seemingly unpretentious way, to the trivial circumstance that her ancestors came over in the Mayflower. "Ah!" replied New York, with a little lift of her eyebrows expressive of innocent surprise, "I did not know before that the Mayflower brought over any steerage passengers." The retort certainly was not delicate; but still in what Bacon calls the "great ship of Time," no one is so careful to distinguish between cabin and steerage passengers as Mr. Arnold. His exacting taste demands the "culture" of the few highly educated people who occupy the state-rooms, though genius and saintliness may be among the motley assemblage in the steerage. The slightest taint of vulgarity repels him, as though it were an inexpiable sin. All his readers must remember his mischievous delight in quoting, in essay after essay, a verse of a hymn, which he eventually robs of

the capital letter beginning each line, and which he declares expresses the average piety of a Protestant devotee of the middle class: "My Jesus to know, and feel his blood flow, 'tis life everlasting, 'tis Heaven below."

Now, that such doggerel as this is exceptional in all orthodox congregational hymn books, he must know very well; but it serves his turn in his effort to show the vulgarity which steals into the worship of dissenting Christians. He is never tired of thrusting it into their faces as a proof that they cannot adore their Redeemer without shocking every principle of good taste, and of ironically recommending to them a small dose of "literature" to sweeten and refine the bald announcement of their "dogma." If uneducated or imperfectly educated Protestant saints ever swear, it must be when they read such polite exhortations for them to sing and pray in Oxford English; and they might be justified in swearing by assuming that, considering the provocation, profanity, in some emergencies, becomes a religious exercise.

No injustice is done to Mr. Arnold in saying that condescension in the form of superciliousness more or less infects his ablest writings. He is very careful to abstain from every kind of that passionate invective, of that righteous wrath, in which vehement minds are apt to indulge when their souls are excited by the contemplation of some great wrong; there is hardly a trace in his works of the noble rage so dominant in Milton, Chatham, or Burke; but, on the other hand, there is no recent English writer who excels or even equals him in the exquisitely polished poison with which he deliberately tips the light and shining arrows of his sarcasm. The wounds he inflicts may seem to be a mere scratch on the surface; but they fester; they eat into the flesh, which they hardly seem to touch; and the dull and prolonged pain they cause is as hard to bear as the sting of a scorpion or the bite of a centipede. It is said that curates of the Church of England have a not unnatural desire to become Bishops; but what curates would not rather prefer to remain curates, than to occupy the positions of the Bishops of Winchester and Gloucester, after they had been subjected to Matthew Arnold's ironical compliments, in "Literature and Dogma." These dignitaries of the church had, in convocation, declared their intention "to do something for the honor of Our Lord's

Godhead," and to mark their sense of that "infinite separation for time and eternity which is involved in rejecting the Godhead of the Eternal Son."

Throughout the volume, Arnold seizes every opportunity to bring in that unfortunate phrase, "to do something," until the poor Bishops are practically stretched on the rack of an intellectual inquisition, which is as cruel as the old Spanish model of bodily torment. How studiously polite, how affectedly urbane, how inexpressibly bland, is the manner of the critic as he sees his victims writhe under the application of his gilded thumbscrews. The first turn and twist of the engines of torture might not inflict much pain; but it is their continual repetition which wounds. The poor creatures, when he makes a point against their special dogma, are, as it were, compassionately urged "to do something" for "the godhead of the Eternal Son." Their pious anxiety to begin a work which, it would appear, they have long neglected, and their confidence in their power "to do something" when their sacerdotal functions are properly exercised, are pressed home on the Bishops with a witty relentlessness that borders on malice; while at the same time the critic is employed in an attempt to undermine their whole system of theology, and does all he can to make them ridiculous in the eyes of the world. It is hardly possible to inflict acute pain in a more seemingly gentle way. And then, throughout the discussion, the reader who reads between the lines is aware that substantial injustice is done to the Bishops. He may take pleasure in seeing how a master in the rhetorical art can, to all appearance, be victorious over able adversaries by insisting on holding them to an unlucky phrase, which has slipped from them in an unguarded moment; but the victory is still not one of reason, but of wit. At least, it has none of the "sweet reasonableness" which it is the object of the book to enforce.

A critic who does not hesitate to satirize men high in the Established Church, as well as persons low in dissenting congregations, can hardly be expected to deal genially with contemporary men of letters. When he is "down among the dead men," he is sufficiently complimentary; but how few living authors are indebted to him for a friendly word! His essays "On Translating Homer" provoked combats nearly as fierce as those the great epic poet celebrates. He contrived to excite the enmity of living translators of Homer by his exasperating super-

ciliousness in summing up their demerits. Homer, says Mr. Arnold, has four distinctive qualities, which his translator should keep constantly in mind, or he will fail in rendering him adequately. Homer is, first, eminently rapid; secondly, he is eminently plain and direct, both in the evolution of his thought and in the expression of it; thirdly, he is eminently plain and direct in the substance of his thought, that is, in his matter and ideas; and, finally, he is eminently noble.

From Chapman to Wright every translator is found to be deficient in one or more of these inexorable conditions. Living translators of Homer were specially angry at the cool way in which Mr. Arnold applied his tests, and among them all none was more enraged than F. W. Newman. He could not endure the pitying but penetrating force of Arnold's criticism, or the imperturbable calm of his manner of stating it. Invective the good man might have borne with fortitude; but that this comparative stripling in Greek literature should assume toward such a veteran as himself the air of a superior being, was too much for his philosophy. He was angry and, what is more indiscreet, he showed that he was angry; and this gave his antagonist an opportunity to overwhelm him anew with his bland and sedate condescension. Other translators had their own wrongs to avenge, and an exciting controversy was the result, in which nobody kept his temper except the person who had caused the disturbance. In one of the chapters "On Translating Homer," Mr. Arnold quotes a passage from Goethe which must be new even to many scholars who pride themselves on their familiarity with the writings of the great German. "From Homer and Polygnotus," says Goethe, "I every day learn more and more clearly that in our life here above ground we have, properly speaking, to enact hell." That Matthew Arnold had learned the same lesson from Homer and Polygnotus must have been the settled conviction of most of the translators he offended.

But then the keen critic had laid himself open to criticism. He illustrated his own principles of translation by rendering into English hexameters a passage or two from the Iliad. His critics made themselves merry over his versions, or perversions, of the original. He watched warily for an opportunity to retort, and he found it in the preface to his "Essays in Criticism." Speaking of himself as a Professor, he modestly states that he is

shy of claiming the title because he shares it with so many quacks and jugglers, like Professor Pepper, Professor Anderson, and the like. He cannot, he says, compete, merely as Professor of Poetry in the University of Oxford, with such shining lights as these. "I," he adds, "have my humble place in a hierarchy, whose seat is on earth; and I serve under an illustrious Chancellor who translates Homer, and who calls his Professor's leaning toward hexameters 'a pestilent heresy.' Nevertheless, that cannot keep me from admiring the performance of my severe chief; I admire its freshness, its manliness, its simplicity; although, perhaps, if one looks for the charm of Homer, for his play of divine light, Professor Pepper must go on, I cannot." The cool insolence of this deadly thrust is incomparably good, considered as satire. The Earl of Derby had sneered at Arnold's hexameters, and had translated Homer. Arnold patronizes his chief by admitting the merits of his version; but he indicates, in a light, fleering way, that in translating the first of the great poets of the world he has made only one slight mistake, the mistake of leaving out all the poetry. The truth of the criticism only made it the more exasperating. The allusion to Professor Pepper at the end must have stung the arrogant Earl to the quick. At any rate, he was careful, we think, to indulge in no more flings at his Professor's hexameters.

But a more provoking form of Mr. Arnold's fine scorn of what shocks his fastidious taste or offends his cherished opinions is his habit of adopting a mode of attack which he disclaims as far as he is himself concerned, but which is most in vogue among those writers who sympathize with his adversary's method of conducting the warfare of words. Thus Charles Sumner never used profane language as a proper expression of his own angry feelings; but he had no objection to quoting the profanity of brother senators, whose passions had been aroused by his opposition to their opinions. Readers of Wordsworth, when they come upon the first portion of one of his humane maxims, must have wondered how he could escape falling into the fault he palpably condemned. The passage begins thus:

> "He who feels contempt
> For any living thing —"

How, the reader asks, can the poet avoid expressing something like contempt for the person who is supposed to experience

it? But Wordsworth glides over the difficulty with perfect ease, as is seen by his conclusion:

> "He who feels contempt
> For any living thing, *has faculties*
> *Which he has never used.*"

In a similar way, though for a different and less humane purpose, Mr. Arnold expresses his dislike of the style of Mr. Kinglake, as shown in the latter's brilliant history of "The Invasion of the Crimea." He calls it "the Corinthian style," detests it utterly, as having "the glitter of the East with the hardness of the West"; and ends by quoting an unfavorable criticism of it by somebody whom he styles "a brother Corinthian," and who had, it seems, declared that Mr. Kinglake combined "the passion for tinsel of a sensuous Jew, with the savage spleen of a dyspeptic Englishman." But Mr. Arnold hastens to add: "I do not say this of Mr. Kinglake's style; I am very far from saying it. To say it, is to fall into just that hard, brassy, overstretched style which Mr. Kinglake himself employs so far too much, and which I, for my part, reprobate. But when a brother Corinthian of Mr. Kinglake's says it, I feel what he means." When Mr. Kinglake read this criticism, must he not have felt that the "brother Corinthian" who made the somewhat brutal assault on his manner of writing was far more merciful than the fastidious critic who quoted it?

It would be needless to select other passages from Mr. Arnold's books in proof that his taste is so refined that he finds little to commend in his contemporaries. Bishop Colenso is the favorite "Pontiff of the Philistines"; Macaulay is "the Apostle of the Philistines," and his Roman Ballads "pinchbeck." He is not daunted even by such despots as Ruskin and Carlyle, but draws a marked line of distinction between their genius and intelligence. Their deficiency in the latter quality seems to grieve him much. Thackeray and George Eliot he does not even mention; and of Dickens he said nothing good during the great romancer's life, and classed "Little Dorrit" among Magnall's Questions, Joyce's Scientific Dialogues, and Beecher's Sermons, in his catalogue of the library of an average British Philistine. After Dickens's death, for a purpose of his own, he quoted and praised those portions of "David Copperfield" which contained a satire on middle-class religion and middle-class education. It

was said of a lawyer, eminent for his learning and his ability, and the singular absence of passion in his arguments, that he could not speak fifteen minutes before a jury without running the risk of not only losing his case, but of making every man of the twelve his personal enemy. The secret of his unpopularity was that he spoke down to court and jury from an inaccessible height of wisdom which they could not hope to reach, but from which he, for the time, descended, in such a way as to give them the impression that he *con*descended. "Some men," said Mr. Choate, "we dislike for cause; others, peremptorily." He must have meant by the latter the men who condescend.

It is to be feared that we have apparently undervalued the real power and influence of Mr. Arnold in thus frankly stating certain defects and limitations in his character which have not been without their effect in giving an undue bias to his intellect. There is a class of educated readers in England and the United States who, not being writers, are delighted with criticisms which are really funeral services over the souls of would-be writers who fail to come up to ideal standards of excellence. How many men and women, who might eventually have become good writers, are killed at the start by harsh judgments it is hard to determine. Byron expresses his astonishment at the success of such critical homicides. He says,

> "Strange that the soul, that very fiery particle,
> Should let itself be snuffed out by an article."

But it is often snuffed out, to the great satisfaction of the class of readers we have referred to, who would probably meet a similar fate if they ventured to appear in print. Their discretion is rewarded by the tranquil enjoyment they experience in witnessing the death-bed agonies of their more ambitious friends and neighbors who, conquering the natural fear which the austere critics are so calculated to excite, have ignominously fallen in their desperate attempt to rise. This class of readers, who have generally "gone through college" without having college go through them, are prone to pride themselves on their culture, and resent the most diffident criticisms regarding the perfection of their idol, Matthew Arnold, whom they look up to as the apostle of culture. Now, the importance of culture cannot be overstated; but, as has been pleasantly remarked, the maxim is in danger of being so perverted as to end practically "in the

culture of self-importance." This hateful perversion of the true creed is observable in the behavior of literary fops and coxcombs who imitate the master, as other fops and coxcombs vainly try to imitate, in the intercourse of society, the self-centered, refined insolence of manner and irreproachable costume of the acknowledged leaders of fashion. Mr. Arnold is as immeasurably beyond such affectations in literature as he is in dress. It seems cruel to make him in the least degree responsible for a shallow superciliousness of tone in polite literary circles, which a few sentences in his writings may still have had some influence in producing. His leading maxim is that "conduct," the cultivation of righteousness, properly occupies three-fourths of human life; "culture" is the remaining fraction; and he emphasizes this because he believes that it has been unduly disregarded, and is, moreover, absolutely necessary for the right regulation of conduct. What may be called his vital superciliousness is a quality which has its roots deep down in his intellectual and moral character, and though a serious defect, is entirely different from the sham substitute, which consists in despising what one cannot emulate, and in sneering at well-intended efforts for excellence which one has never had the nerve even to attempt.

If we examine carefully the earlier prose essays of Mr. Arnold, we shall find that his method of assailing English Philistinism was by a sudden, a violent change of the point of view in his way of looking at things specially repugnant to the English mind. In his dissertations on "The Function of Criticism at the Present Time," and "The Literary Influence of Academies," he opened a lively campaign at everything insular and provincial in English habits of thought, and he showed no toleration for what he considered the brag and bluster of English political and literary conceit. He was necessarily one-sided; but he made narrowness an agent to promote comprehensiveness. Desiring to get the English mind "out of its ruts," he urged English thinkers to include in their confident generalizations a number of facts and ideas which they had hitherto excluded; and these neglected facts and ideas he exaggerated out of their true relations, in order to force them on public attention. He lacked, as we have said, the kindling, magnetic power which springs from original energy of nature; but he possessed, in a striking degree, the minor quality of suggestiveness. He had light in abundance, though he was wanting in the heat which ordinarily

accompanies light. His suggestiveness made him command the attention of many thinkers who, like Emerson, believe that the best benefit we receive from other minds is not so much instruction as "provocation."

In his essay on the "Function of Criticism," Mr. Arnold takes the ground that the critic, earnest to acquire the best that is thought and known in the world, and to see all things as they really are, should avoid direct contact with practical life, and decline to apply his advanced ideas to existing facts. Reformers naturally resented the principle thus confidently announced, because they knew, by experience, that it was impossible to prevent ideas from coming into conflict with current abuses in church and state. Thus M. Renan said, in substance, to the Emperor Napoleon the Third: "Allow us thinkers and scholars to think and investigate freely, and communicate the results of our thinking and research to the few other scholars who care for the things of the mind, and we will not interfere with our impertinent objections to anything you may do with the uneducated and prejudiced millions of France. We do not address them at all." Well, the eventual result was Renan's "Life of Jesus," which became such an element of disturbance in the whole Imperial system of government, that any alcove in a large public library might be packed full of books and pamphlets which this truly incendiary volume called forth from all classes of the French population, clerical and political. Mr. Arnold, as an Englishman, could not expect to rival M. Renan in creating a similar outburst of the public mind by such a volume as "St. Paul and Protestantism," or "Literature and Dogma"; but everything that could be done by the audacities of theological thinking, aimed directly at the cherished tenets of all English churches and sects that pretended to orthodoxy, was done by Mr. Arnold in these two heretical books. He fondly thought, like Renan, that he could keep at a distance from the smoke and dust of a combat that his own writings tended to provoke. Such men may flatter themselves that they are addressing thinkers alone, when they are really rousing mobs. One is reminded of the intelligent contraband who, during our civil war, entertained an audience in Dedham, Massachusetts, with an account of a furious conflict of Federals and Rebels on the banks of the Potomac. "But," asked a critical auditor of his flaming narrative, "where were you when the battle was raging?" "Oh! I

was back among the baggage." "But how far were you from the bullets and the cannon-balls?" "Well," was the instant reply, "not so far as Dedham!" Probably the critic was a thoughtful abolitionist, who, discontented with the avowed objects of the war, concluded to stay at home until Emancipation was proclaimed; but he doubtless was soon swept into the crowd of volunteers, conscripts, colonels, and brigadier-generals that reënforced the army of the Potomac. He had, like Renan and Arnold, intended to judge dispassionately of battles from a discreet and distant point of view, but was whirled into the midst of the contest by a fate he could not withstand.

The prose of Mr. Arnold, when he is in his best mood, almost realizes his ideal of what he calls the Attic style, having its "warm glow, blithe movement, and soft pliancy of life." Take such an essay as that on "Religious Sentiment," and it seems, as we read, that it cannot be improved. In some of his theological and political discussions his style, it must be confessed, loses much of its charm. It is important, however, to discriminate between listening to Mr. Arnold and reading him. It is well known that some of the ablest Englishmen scandalously neglect the elementary rules of elocution. In the United States almost every person, from the farmer who speaks in a town meeting to the accomplished orator who addresses the Senate of the country, considers that the second part of his sentence should be as audible as the first. As far as we have heard eminent English speakers who have addressed American audiences, we have been surprised at the difference between the effect produced by what they speak and the effect produced by what they write. In Mr. Arnold's case, we remember a singular illustration of this general fact. One of his masterpieces of compact criticism is certainly his lecture on Heine. An accomplished professor of literature in one of our best colleges heard it delivered at Oxford, and came home fully impressed with the belief that Mr. Arnold was an overrated man. When published, as an article in a magazine, it attracted the notice of Mr. Emerson, who was vehement in its praise, and asked every person he met why there were no such critics in America. Even Carlyle heard of it, and had to read it. He was, of course, enraged, for he was accused of mistaking the main current of German literature after Goethe. "Have you heard," he growled to an Ameri-

can friend, "of poor Matt Arnold? What creature do you think he has selected as the writer who has continued, since Goethe, the main current of German literature? Why, it is that PIG, Heine!"

In coming to the consideration of Mr. Arnold's theological writings, one is impressed, and sometimes oppressed, by his theological learning and his skill in coolly reversing all the standards of popular belief; but he has not the first qualification of a religious reformer on a large scale; for, though a keen and well-equipped critic of theological dogmas, he is not a man of religious genius. The exaltation of soul, the fervor, the rapture, the ecstasy, of those great natures who have vitally experienced new views of religion, and verified them by the facts of their own consciousness, are entirely absent from his cool statements of revolutionary opinions. Paul's Epistles are considered the bulwarks of orthodoxy; but Mr. Arnold attempts to prove that the doctrines derived from them are gross misinterpretations of the Apostle's meaning. In "Literature and Dogma" he defends the strange hypothesis that the God revealed in the Old Testament is not a personal God, but only the "Eternal, not ourselves, that [and not who] makes for righteousness." The almost endless succession of texts he quotes in order to sustain his view of Israel's God as an eternal IT is calculated to make Jew and Christian alike tired of the very name of Righteousness. The special point he makes is that the language of the Bible is "fluid, passing, and literary, not rigid, fixed, and scientific"; and this, the first step toward a right understanding of the Bible, demands culture in the person who takes it. By the application of this principle, he gives a new interpretation to the texts on which the doctrines of all orthodox churches and sects are based; and his interpretation, if accepted, demolishes the doctrines. As long ago as 1838 Mr. Emerson, in his celebrated address to the Cambridge divinity students, announced Mr. Arnold's leading idea with more condensed vigor, in speaking of the theological misinterpretations of the words of Jesus. "The idioms of his language," he said, "and the figures of his rhetoric, have usurped the place of his truth; and churches are not built on his principles, but on his tropes." The remarkable thing to be noted in Mr. Arnold's work is the confidence he seems to have that his method of viewing the Bible will draw unbelievers, especially such unbelievers as find edification in Mr.

Bradlaugh's teachings, to a rational study of the Scriptures; but in fact, "Literature and Dogma" is a volume which believers, unbelievers, misbelievers, and make-believers would unite in neglecting or condemning. It might be supposed that the author would say a word to conciliate the Unitarians; but he seemed to dread contact with them, alluded to them only to warn them from the indulgence of any complacency they might feel in hoping that he was coming over to their side; forgetting that this denomination possessed, in James Martineau, one of the foremost theological scholars and thinkers of our day, and one who, in respect to mere "culture," had a right to be ranked among the best writers of the age. Thus excluding sympathy from all quarters, subtly insulting all liberals and illiberals in turn, Mr. Arnold's "Literature and Dogma," full of bright and penetrating thought as it is, and thronging with felicities of diction which make the ordinary rhetorician survey it with "admiring despair," ended in convincing only one person of the infallibility of its interpretation of the Bible. It is needless to add that the person thus convinced was the author. And this result might lead many crabbed orthodox divines to reverse his definition of God as the "Eternal, not ourselves, that makes for righteousness," so as to make it read: "The temporal, not ourselves, who makes for Matthew Arnold's revelation of the true meaning of the Scriptures."

If space permitted, we should like to enumerate some of the positive additions made by Mr. Arnold to the language of literary criticism. No writer of our generation has been more prolific in devising felicitous phrases, distinctions, and definitions, which have easily passed into circulation as representatives of facts in our intellectual and moral constitution, and which hardly lose their freshness and force even when he persistently repeats them in essay after essay. They embody in pointed expression the delicacy and the depth of his perceptions. They often have the fatal certainty of those insights which reward the steady gaze of a spiritual observer of spiritual facts. They are specially prominent in his literary papers, and one would readily exchange hundreds of pages which he has devoted to theology and politics for a series of articles which would include a more extended consideration of the men of genius incidentally referred to in his books, such as Sophocles, Plato, Dante, Lucretius, Montaigne, Bossuet, Voltaire, Goethe, Spenser, Keats, not to mention others.

In the present inadequate notice of him, we feel that we have been led unconsciously into placing too much emphasis on some of his peculiarities, which are calculated to provoke, if not to exasperate, many readers who are none the less charmed by the exquisite beauty of his style, by the graceful ease with which he commands at will all the resources of his large learning, by the inflexible honesty and independence of spirit which marks his partial and sometimes prejudiced judgments of men and things, and by the expansiveness, the fertility, the subtlety of his intellect, when his intellect has fair play, and is not controlled by obvious faults in his disposition and intellectual character.

EDWIN P. WHIPPLE.

A ZONE OF WORLDS.

In the latest edition of his collected essays, the many-sided Herbert Spencer considers the problem of that strange zone of small planets which travels between the paths of Jupiter and Mars. With his customary acumen, he considers the relations presented by the ring of small planets, their distribution as regards size, inclination, eccentricity, and so forth; and in the facts thus collected and analyzed he finds evidence that there was once a single planet traveling along the middle of the region now occupied by the zone of asteroids, and that this planet at some remote epoch burst into thousands of minute fragments. Of course, the theory is not advanced as a new one, but the evidence in its favor has never before been so fully presented.

I believe our great philosopher to have arrived at an entirely erroneous conclusion, ably and clearly though he has dealt with the evidence. I shall endeavor to show that while all the evidence offered by Mr. Herbert Spencer is consistent with another interpretation, there is some evidence not touched upon by him which will bear no other explanation than that which I shall indicate. Leaving, however, for the moment both the evidence he has adduced and the theory which I take to be the only one available, I wish at the outset to consider the complex nature of the solar system and the position apparently occupied in it by the asteroidal zone.

Until the Copernican theory was established, astronomers not only did not—they could not—form any idea whatever of the relative sizes of the different planets; for they had no notion of the relative distances of these bodies. Thus men's views as to the nature and character of the several planets were formed in the course of ages, during which it was not known whether Jupiter or Saturn were the larger, or whether Mercury or Venus or Mars might not be very much larger than those planets which we now know to be the giants of the solar system. This was

unfortunate; because, when the Copernican theory was established, and when, later, the telescope showed the globe forms of all the planets and the systems of subordinate bodies which attend upon them, it did not seem to occur to any astronomers to indicate how completely these discoveries modified the aspect of the whole system. Later, other discoveries were made, including the recognition of the zone of asteroids and the discovery of Uranus and Neptune, which should still further have modified the views of astronomers. But settled as men's ideas were in a particular groove, no marked effect was produced; and beyond the suggestion that probably the zone of asteroids marked the place where a single planet had once traveled, astronomers were led to no new thoughts about the planetary system. The planet which was supposed to have burst illustrated, indeed, their unwillingness to change their views; for, by imagining such a planet, they were able to conceive the original condition of the solar system as even more uniform than it had appeared to be, either when as yet none of the asteroids had been discovered or when the asteroids were not explained so conveniently.

Yet every one of the discoveries made by astronomers since the time of Copernicus, including the discovery of the truth of the Copernican theory itself, has given evidence of great variety and complexity of structure within the solar system. The theory of Copernicus, and the light which it threw on the dimensions of the solar system, proved that Jupiter and Saturn are bodies so much larger than the earth, Venus, Mars, and Mercury, that they must be set in a different class. The invention of the telescope, and the discoveries made by its means, proved that Jupiter and Saturn are the centers of systems resembling, though on a smaller scale, the solar system itself. The calculations by which the masses of the planets were determined proved that in mass, as well as in volume, enormous differences exist. The successive discoveries of the ring system of Saturn, of the zone of asteroids, of the small moons of Mars, of the systems of meteors, of planetary comets, and others, point unmistakably to a variety of structure within the solar system such as the earlier astronomers had never imagined. Yet no new survey of the solar system, no new effort to classify its members and to determine if possible their real nature and significance, was ever systematically attempted, or if attempted was held to belong rather

to the region of speculation than of observation,— as though anything could possibly have been more wildly speculative than the belief that the planets are such as they were imagined to be by the astronomers of Ptolemy's school.

Let us try to take such a view of the solar system as probably astronomers would have taken if their first ideas had been formed when they were in possession of the facts which have come to our own knowledge.

In the first place, suppose we could look at the solar system as it might be seen at some given moment, were our powers of vision as keen as those which are given to us by the most powerful telescopes yet made by man. We should see a great, glowing orb, containing more than seven hundred and twenty times as much mass as all the rest of the members of the solar system taken together. Around it travel four bodies relatively very small, at distances which may be represented by the numbers 4, 7, 10, and 16. The largest of these, at distance 10, has a companion body fairly comparable in size and mass with the rest of the group. Around this part of the system travel thousands, or more probably millions, of bodies in the form of a great ring whose entire breadth is greater than the diameter of the earth's orbit. The entire mass of all the asteroids together is not one-tenth the earth's mass. Then, at a distance more than three times as great as that of Mars, we come suddenly on a body entirely unlike any of those yet mentioned. A globe is found more than three hundred times as massive as the earth, and not far from two hundred times as massive as all the planets yet mentioned put together. It is girt round by a system of worlds, comparable rather with Mars and Mercury than with bodies of inferior class. The least of them has a surface equal to North and South America taken together, and is fit, therefore, to be the abode of many millions, nay, rather millions of millions, of living creatures. Oddly enough, the system of Jupiter and his satellites so closely resembles, though of course on a much smaller scale, the system of four bodies, Mercury, Venus, Earth, and Mars, around the sun as center, that a picture of one serves well as the picture of the other.* We next come, at a distance

* Once when an assistant had unluckily broken a lantern slide showing the orbits of Mercury, Venus, Earth, and Mars about the central sun, I for the occasion substituted a slide showing the orbits of Jupiter's four moons about their central planet. No one detected the change.

nearly twice as great from the sun, to a body less, indeed, than Jupiter, but belonging to the same class,—the ringed giant Saturn, a hundred times as massive as the earth, and circled round by eight worlds, the largest of which exceeds Mercury in size, besides a ring system, akin in some respects to the ring of asteroids. Again we pass over nearly as great a distance as we had already reached, and come upon the orbit of Uranus, with his family of four worlds as yet discovered; and though Uranus is much less than Saturn, he is a giant compared with the earth. Lastly, after passing over half the distance at which Uranus travels, we come on the orbit of the most distant planet, Neptune, a giant planet (brother to Uranus, in size and mass), attended by but a single yet discovered moon.

We have so fallen into the habit of regarding this system as represented by a central body with a series of circles set round it, that we find it difficult to picture it as it would appear to one who, visiting our sun's neighborhood from outer space, should view the system as it would appear at any instant of time. He would not recognize that relationship of all the bodies in the system to a central mass, which appears to us the most striking feature of the planetary family. Instead of that, he would see five leading bodies, each attended by a family of small worlds. These five would not include our earth. They would be, first, the sun, attended by five worlds (two of which would be seen to form a double planet), Mercury, Venus, Earth and Moon, and Mars; secondly, Jupiter attended by a family of four worlds; Saturn with eight attendant worlds and a ring system; Uranus with his family; and Neptune with his (for we may well believe that the discovered moon of Neptune has fellows which yet remain to be detected).

In what way would such a visitant of the solar system regard the asteroidal family? He could find nothing analogous to them throughout the five families, except only in the Saturnian system. There he would see a ring, or set of rings, consisting of multitudes of tiny bodies, like sands on the sea-shore for multitude. There can be no doubt, of course, that the Saturnian ring system belongs to Saturn, for it lies within the orbit of the innermost of his eight moons. But the ring system of asteroids, regarding not only the paths of these small bodies but the position of the asteroids at any given instant, as manifestly belongs to the sun; for he lies at the center of the ring. Thus,

our imagined visitor from interstellar space would at once decide that the asteroidal zone belongs to the first of the five leading bodies of the solar system.

Observe that thus viewing the asteroidal ring we find its character altogether natural. It has the features we might expect, after what we have found in the ring of Saturn (there unmistakably), to exist in a ring system appertaining to a leading (in this case, the chief) member of the solar system. Regarded as part of a large system, including the giant planets, attending on the sun as the one great center, the asteroidal zone is altogether abnormal, and in a sense inexplicable. Supposing we could find a natural explanation of the smallness of the inner planets Mercury, Venus, and the Earth-Moon pair; supposing, further, that we could explain the way in which, after showing a gradual increase in size and mass, thus far, with increase of distance from the sun, the system of primary planets next presents a marked falling off in both respects; and supposing, further, that passing from the outside of the planetary system inward toward the center, we could fairly account for the increase from the smaller giants, Neptune and Uranus, to the great ringed giant Saturn, three times as massive as all the just-named planets together, and thence to the still mightier Jupiter, which surpasses in mass Saturn and the rest together two and a half times; yet how are we going to explain the strange anomaly that just inside the track of the prince of all the planets we come to a zone of bodies so insignificant that even if they are regarded as the fragments of a single planet which has burst, that planet could not have had a tenth part of the mass of our earth, and would probably have had a smaller mass than even Mercury?

Thus, while the asteroidal ring, regarded either as a zone of small bodies originally so constituted or as formed by the bursting of what was once a single planet, appears as an entirely abnormal feature in the solar system, it accords quite naturally with other characteristics of that system when regarded as occupying the same position in the sun's special family that Saturn's rings occupy in the Saturnian system. When we consider the solar system as a product of evolution (that is, as developed by processes akin to growth), we find the asteroidal system still more difficult to explain, unless we separate it, along with the sun's family of small planets, from the rest of the

system, and regard it as forming part of the sun's special domain. It is certain that, according to the Nebular theory of Laplace, there ought to be a certain uniformity in the dimensions and masses of the planets, as well as in the arrangement and distances of their orbits. For the process suggested in that theory is a uniform one, acting from the outside of the system where Neptune was made toward the interior where Mercury, the innermost planet, was formed. Uniformity there must have been, though what the law or laws of such uniformity, may not be clear. Now, apart from their utterly abnormal position, as just noted, the asteroids show an utter absence of uniformity in all the details of their system, as well as in their orbital movements. As Mr. Herbert Spencer justly notes, in considering that particular theory of their origin which Laplace himself suggested, if a nebulous ring broke up into numerous small portions revolving around the sun with approximately equal velocities, "their mean distances from the sun could scarcely differ so much that some are twice others; it could hardly happen that the annular space included between their most unlike mean distances would be more than one hundred millions of miles across, and that the space occupied by their widest excursions would be two hundred and seventy millions of miles across"; the parts of such a ring could not show the wide range of orbital inclination seen among the planetoid orbits; there could not be such eccentric orbits as are found among the asteroidal paths, one of which actually passes within the orbit of Mars; and, lastly (though this is indeed not a separate objection, being involved in the consideration of the enormous breadth of the system), "there could not arise any considerable differences between the times in which the discrete portions of such a ring revolved around the sun to the extent of some being thrice others."

These are, however, in the main, objections to the theory of Laplace itself; for it will be found on careful consideration that every process by which a single planet could be formed out of the fragments of what was once a complete ring, would actually require the variety of inclination, eccentricity, and mean distance, which appear thus inconsistent (to the eyes of one of our keenest modern reasoners) with the hypothesis of Laplace. A series of fragments traveling nearly at the same mean distance, in the same plane, and with but slight eccentricity, around even such an orbit as the earth's, could not gather up into a single

mass in tens of millions of years; much less could such bodies traveling around orbital regions as wide as the paths of Uranus or of Neptune.

Of course, to any such theory of the origin of a single planet, from which, by a mighty outburst, the whole system of asteroids was formed, as it were, at a single stroke, there are other and still more striking objections. Those who advocated the theory of a burst planet in the time of Laplace were not greatly troubled by such objections as our Danas and Sterry Hunts, our Scropes and Mallets, recognize in the present day. These, while they know how tremendous may be the local action of the forces which are generated by the contest between the internal heat and the external pressures and movements of the earth, know also that the earth is neither strong enough nor weak enough to be even shattered into fragments by an explosion, such as Olbers, in the confidence of half-knowledge, could calmly enough suggest. For such an explosion to take place, the earth must be, on the one hand, far stronger than she is, to resist the action of such forces as would have to accumulate in order to be able finally to disrupt the whole globe; but on the other hand, the earth would have to be so much weaker than she is as to give way simultaneously at all parts of her crust in the manner conceived by Olbers. The fact really is, that the earth, in the combined strength and weakness of plasticity, is as safe against explosion as though no subterranean energies or external forces of disturbance were at work upon and within her frame. The material which seems to us hard and breakable is absolutely plastic at a depth of less than thirty miles below her surface. It would be so were its substance the best tempered steel. And in this plasticity lies its safety; though, to say truth, the earth is composed of no bursting forces which approach even to one thousandth part of the energy which would be necessary for the shattering of her crust. The chief disturbing force seems to arise from the water which finds its way beneath the surface. This, no doubt, exposed to the heat of the earth's interior, presently assumes the form of superheated steam, and when gathered in sufficient quantities, produces irregular upheavals, earthshakings, volcanic eruptions, and so forth. But these are forces affecting in reality merely the outer film of the earth's crust. If they gathered in ten times greater amount than in the most terrible earthquakes yet known, the result, disastrous though it might

be to the human race, would not appreciably affect the earth as a whole. And constituted as the earth's inner frame is,—of matter which, however solid, is not rigid, but absolutely plastic,—there is no possibility of the earth's seas finding their way in, in sufficient quantity to seriously affect the real crust (as distinguished from the outer film we can examine), far less the interior mass.

But the explosion theory of the small planets is open to an absolutely fatal objection, the full force of which only the mathematician, perhaps, can appreciate. If a planet could burst, every fragment would start in its independent course from the scene of explosion. Its new path, therefore, however it might differ in eccentricity, inclination, and period from the path of the single original planet, would be a path passing through that point in interplanetary space where the explosion took place. For thousands of years after the explosion, the orbits of all the fragments would exhibit this evidence of their common origin. Perturbations would, of course, in the long run, carry all or most of the paths away from that point; but still it would be possible for the mathematician to recognize the fact that once they had had a common point of intersection. The only class of perturbations with which mathematics could not thoroughly deal would be those arising from their mutual attractions. But even on this point the mathematician has somewhat to say. The masses of the individual members of the asteroidal family are quite unknown. The numbers of the family, even, and their orbital movements, are as yet undetermined. Yet the whole family have been put in the scales of science and weighed, with the result that the entire mass of the zone is less than the mass of the planet Mars. Now the disturbing effect of Mars on the earth, its nearest neighbor, is so very small that it produces scarcely any measurable influence, even in long periods of time. The zone of asteroids is, however, far wider than the interval which separates the paths of Mars and the earth. The mutual influences of bodies spread over so wide a region, and having an average mass certainly less than the three-hundredth part of the mass of Mars, may certainly be neglected in discussing the question whether the orbits of the asteroids ever intersected in one small region, such as the original imagined single planet could have occupied. This done, it is found that these orbits could not have had, at any time, that common region of intersection.

The theory of explosion is therefore as untenable on *a posteriori* as on *a priori* grounds. But perhaps the best disproof of this theory is to be found in the clearness of the evidence which exists in favor of another theory, flowing naturally from the one theory of the origin of the solar system which gives an account of the peculiar way in which the various masses within the solar system are distributed.

It has become clear within the last half century that the interplanetary spaces are traversed by millions of millions of streams of meteoric matter, traveling in orbits of every variety of eccentricity, inclination, and direction (unlike the planets which travel all in one direction around the sun). Our earth passes in her yearly circuit around the sun through the orbits of some four hundred of these meteoric streams, though only through each stream itself of the number when it happens to be passing at the time that the earth crosses its orbit. It has been calculated by Professor Newcomb that in each year about four hundred millions of meteors of all orders down to the smallest which ordinary telescopes would show, fall on the earth's atmosphere. But the estimate now formed of the number of bodies so encountered is very much higher. All these bodies are eventually received in the form of microscopic dust on the earth's surface. In this lies the proof that the total number of these streams actually existing must be counted by millions of millions, the total number of individual meteors being simply uncountable.

Now, when these enormous numbers of meteoric systems exist, and when it is seen that year by year the earth still gathers in a large mass of meteoric matter (however small the mass may be in comparison with her own), we see that in the remote past the meteoric and cometic tenantry of our surrounding space must have formed a very important part of the solar system. Considering the millions of years proved to have elapsed since the system had its present general aspect, and the tens of millions of years preceding that time, we cannot but admit that the quantity of meteoric and cometic matter which could stand even the present rate of drain during so long a time must have been enormous. But it is obvious that the rate at which the meteors were withdrawn from circulation in far-back times must have been much greater than at present, for the simple reason that it would be proportional always to the number of free meteors,

and this number has been constantly diminishing; and before the planets had assumed their present comparatively compact forms, their sweeping capacities would necessarily have been far greater than at present; for their widely extending, partly vaporous masses would range through much greater regions of the meteor-crowded interplanetary spaces.

Taking all these considerations into account, it becomes clear that no small portion of the present mass of each planet must have been derived from the process of meteoric aggregation. So much is certain. The whole subject of the origin of our solar system is full of difficulties and perplexities; but some few points are quite clear, and among them is this one. But when we take this at least partial meteoric origin of the solar system into account, we find an explanation of those general features of the arrangement of masses throughout the system of which the theory of Laplace gives no account whatever, and amongst those features the asteroidal zone finds its explanation.

Consider the conditions under which the process of aggregation would have gone on in the beginning:

From what we know of the present condition of the meteoric systems, we learn that, from the outset, there must have been a steadily increasing wealth of meteoric distribution with approach toward the sun. So that, were this point alone to be considered, we should expect to find the largest planet traveling next to the sun, and the planets growing less and less with increasing distance from him. But the movement of meteoric bodies around the sun would be more rapid the nearer they drew to him on their eccentric paths; and, apart from eccentricity of orbit, meteoric velocities would be greater near the sun than far away. Thus, at our earth's distance, the average velocity of a meteoric body would be about nineteen miles per second, its maximum velocity about twenty-seven miles. Close by the surface of the sun, the least velocity on a free orbit (necessarily circular, to give the least velocity there) would be about two hundred and fifty miles per second, and the greatest velocity about three hundred and fifty-five miles. At the distance of Jupiter, the maximum velocity would be only about twelve miles per second; less at Saturn's distance; and much less at Neptune's.

Now clearly the growth of a mass by the gathering in of meteoric matter would depend in great degree on the velocity

with which such matter came by it. If its outskirting vaporous matter were actually interposed on the meteor's track, manifestly the chance of intercepting the meteor mass would be small if the velocity of the body were very great. If there were no actual collision at this passage, the power of the aggregating mass to perturb a passing body, and so alter its path as to make its eventual absorption a mere question of time, would depend in great degree on the length of time during which the meteoric mass was in its neighborhood, and this would be greater or less according as that mass moved with less or greater velocity.*

Thus, approaching toward the sun, we find the formation of a planet encouraged by increase of material, but rendered more difficult by increasing velocities. It is evident that there must be some distance at which the conditions would, on the whole, be more favorable than at any other distance, a region where there would be a sufficient quantity of meteoric material, while the motions would not be too rapid to prevent steady aggregation of matter. At that most favorable distance, the largest subordinate aggregation would form. In other words, this would be the region where the giant mass would form from which, millions of years thereafter, Jupiter with his system of attendant worlds was to be developed.

Now, it is clear that, outside the domain where Jupiter was formed, we should find planets less than he, at distances corresponding to the distance separating Jupiter himself from the central mass. Saturn, twice as far as Jupiter from the sun, and much less than he in mass; Uranus, twice as far away as Saturn, and still less than he, would thus be accounted for. And if there were but one more, we can see reasons why that outermost planet, not being disturbed in its growth by a gathering mass yet farther from the sun, would neither travel quite so far from the center as would correspond with the law thus far noticed, nor show any further diminution of mass beyond that shown in the case of Uranus. At least, here seems to reside a not unreasonable explanation of the circumstance that, in the case of Neptune alone, Bode's Law (of distances doubling outward from Mercury's orbit) is found to fail, while his mass is not less

* As it sometimes happens that speculative considerations are advanced in the definite and confident tone which should belong only to statements of fact, I deem it well to point out that what I have stated above is simply matter of fact, not speculative at all.

than that of Uranus, but slightly greater. We may also find, in the exceptional circumstances of the outermost region of the solar system, an explanation of the circumstance that the satellite systems of Uranus and Neptune, only, show a movement of circulation around their primary in a direction contrary to that observed throughout the rest of the solar system,—not only in the movements of the planets around the sun, and of the satellites around their primaries, but also in the rotation of individual planets (including our moon) upon their axes.

Turning to the region inside that swept through by the mighty, gathering mass of Jupiter, we find on the line which we are now following an explanation of what before had seemed mysterious, the singular arrangement of the masses of those smaller planets which seem to own the sun as their special ruler.

It is clear that just inside the track of Jupiter, matter would either aggregate under great difficulties or fail to aggregate at all. His mighty disturbing influence, conjoined with that exerted by the sun, would here produce irregularities of movement akin in a sense to those which affect a sea where two cross sets of waves are traveling; just as in such a sea we find no mighty moving masses of water, but only broken waves, so in the region where the influences of the sun and Jupiter were combined, there could form no great aggregation, but only small pieces of what under other conditions would have been a planet. Be it noticed that the comparison here advanced is not merely metaphorical, as it might seem; it is demonstrable, as a mere matter of fact, that clouds of cosmical dust sweeping around the great central sun, under his influence solely or chiefly, would gather eventually into a single mass, while similar clouds under his influence, combined with a sufficiently powerful thwart influence, such as Jupiter would unquestionably have exerted on the region inside his track, would break up into a flight of small bodies circling on independent orbits around the central sun.

But we shall return presently to this point, and show the very marks which have been left by Jupiter on the asteroidal zone. For the moment we must consider the other members of the sun's special family.

Inside the zone where a planet failed altogether to attain the fullness of independent planetary life, we might expect to find a region where, though a planet formed with difficulty and acquired but a small mass, it yet succeeded, despite the per-

turbing influences of Jupiter, in gathering up its substance and becoming a primary though small member of the solar family. Possibly in the conditions prevailing here we may find an explanation, also, of the circumstance that Mars alone, of all the primary planets, has two bodies attending on him which, though we may call them moons, are in reality far too small to be set in the same class as the moons of Jupiter and Saturn,* and the companion planet of our earth.

On the other hand, in the region nearest to the sun, the velocities of meteoric on-rush would be so great that a planet would form with great difficulty, or not at all. Most probably — if we can judge from observations made during eclipses — no planet such as the Vulcan of our books of astronomy exists in the sun's immediate proximity. But there are good reasons for believing that a number of tiny bodies—pieces of planets, so to speak (unless we prefer to call them, with Humboldt, pocket planets)—travel around him within the orbit of Mercury. These, in the region of greatest disturbance near the sun, would correspond with the zone of asteroids in the region of greatest disturbance near the outskirts of his special domain.

Be this as it may, we certainly find near the sun a planet — Mercury — even smaller than Mars, affording thus evidence that that region is even less favorable for planetary development than the region inside the asteroidal zone, where the planet Mars with his two small moons was fashioned.

* The idea has been advanced that because the smallest of Saturn's moons —Hyperion—required a very powerful telescope and the keen eye of Prof. G. P. Bond to detect it, therefore it may be regarded as comparable in smallness with the moons of Mars. A slight consideration of the circumstances under which these bodies are visible, will show how very much larger Hyperion must be. Saturn's distance from the sun is, roughly, about six times as great as the distance of Mars, and therefore his satellites are illuminated with but about one thirty-sixth part of the light which illuminates those of Mars. When Mars is so placed that his moons are discernible in our telescopes, his distance from the earth is about the twentieth of Saturn's, corresponding to a diminution of the apparent size of Hyperion's disk 400 times greater than the diminution of the disks of Mars's satellites. Thus Hyperion, to appear as bright as one of the Martian moons, must have a surface 14,400 times as great, corresponding to a diameter 120 times as great, and a volume 1,728,000 times as great,— which assuredly sets him in a different class of created orbs. Here I have taken no account of what is assuredly the case,— that Hyperion is certainly a much easier telescopic object than either of the moons of Mars.

Between the planets Mercury and Mars lies a region where the sun's disturbing forces on the one hand, and those of Jupiter on the other, are neither so effective separately as in the regions traversed by Mars and Mercury, nor conjoin their influences disastrously as in the region of the asteroids. Here, therefore, we should expect to find the largest members of the sun's special family; and, accordingly, here we find Venus and the earth, Venus on the solar side less than the earth on the remoter side, just as Mercury is less than Mars.

It is noteworthy, also, how the largest member of the sun's special family, thus formed where the conditions seem most favorable, is attended by a companion body, the only secondary planet, properly so called, in the whole region inside the orbit of the giant Jupiter.

But now I would call attention to the way in which the asteroidal zone presents itself as part of the sun's own domain, in the same way that the Saturnian rings appear as part of the system of that noble planet. Not only are the asteroids thus recognized as occupying a natural position in the solar system, instead of an abnormal and scarcely explicable one, but we shall find on comparing the zones of asteroids with the rings of Saturn, that there is a most remarkable and significant feature common to both, by which not only are they brought into parallelism of condition, but may both be shown to have clearly imprinted on them the marks of the influences under which they reached their present condition.

Observe, I have spoken of the *zones* of asteroids, using the plural here for the first time. The description is correct, though no one would imagine it who should either look down a list of the minor planets with their mean distances, eccentricities, inclinations, and so forth, or should look at a picture presenting their paths as they really are. It required the keen insight and patient labor of Professor Kirkwood (of Bloomington, Ind.) to sift out from what seems a meaningless confusion of orbits the evidence of zone formation, which, though thus veiled, is clear and convincing enough so soon as the veil is lifted.

The asteroids, when duly arranged in the order of their mean distances, are found to be separable into distinct zones. At certain mean distances there are no asteroids at all, at others scarcely any; while at mean distances between these vacant or comparatively vacant zones, asteroids abound. This would be a

remarkable circumstance, even though no law could be detected in the arrangement and dimensions of these zones,—a circumstance not less striking than the existence of dark bands and zones in the solar spectrum. But as in this latter case the interpretation of the dark bands was of far greater importance than their mere detection, so is the interpretation of the vacant zones in the asteroidal region a matter of even more significance than their recognition. They lie at those very distances from the sun at which the perturbing action of Jupiter would be greatest. We know from the theory of planetary motion that when the movements of one planet synchronize with those of another, much greater perturbations arise from the mutual attractions of the two bodies than where there is no such harmonious relation existing. Thus Jupiter and Saturn disturb each other so effectively, owing to the simple relation between their orbital movements—two circuits of Saturn synchronizing almost exactly with five of Jupiter, the result being an irregularity of motion which long before it was explained was called the great irregularity of Jupiter and Saturn. Saturn is most affected, being the smaller; and if he were very small, Jupiter would scarcely be affected at all, but the supposed small Saturn greatly. Now, among the particles of clouds of cosmical matter traveling where the zones of asteroids now lie, would be many having periods synchronizing with Jupiter,—for instance, the region would include bodies traveling in one-half, two-fifths, three-quarters, two-thirds, three-sevenths, and four-sevenths of the period of Jupiter. These he would most effectively disturb, and would work out of their paths into regions traversed by bodies on either side not having periods so dangerously (for them) synchronizing with his. So would he sweep clear, as it were, those mean distances; and in the fullness of time (a few tens of millions of years) no cosmic dust would remain there. Hence would have arisen the state of things shown by Professor Kirkwood—the Kepler of modern astronomy—to exist in the asteroidal region. Nor is it easy to conceive any other way in which this remarkable feature of the family of asteroids can be explained.

But if this explanation is the correct one, we might fairly expect to find in the Saturnian rings system something akin to it. Now, not only is this the case, not only are the tiny satellites which form these rings cleared away precisely where the disturbing action of the Saturnian satellites would be most

effective, but in their case the clearing away, instead of requiring the careful inquiry of a Kirkwood to reveal it, has been recognized for more than two centuries as a marked feature of the Saturnian system. The great division commonly called Ball's division, but really discovered by the elder Cassini, is simply the chief cleared space. It is all but absolutely clear of satellite dust to a width of about a thousand miles,—not quite clear, for some little light comes from what was called erroneously the black division. Elsewhere are other divisions, not so broad nor so dark, but like the great division, corresponding to the distance from Saturn's center, where the perturbing action of the nearer satellites would be most effective. Here, too, though the divisions were discovered with the telescope, we owe to Professor Kirkwood their simple and most beautiful interpretation.

No doubt then can remain. The asteroidal zones, though they may present, as Dr. Whewell quaintly put the matter, a case in which a planet has been spoiled in the making, yet show clearly the marks of their origin. They belong as certainly to the sun's special family of small planets, as the rings of Saturn belong to the Saturnian system. They bear, like these rings, the marks of the action of the other orbs which travel round their ruling body. They not only tell us of their own origin, but of the processes by which planets not spoiled in the making have been fashioned. They speak, moreover, of æons of æons of past time, during which the mighty action of Jupiter (already formed, be it noticed, and therefore telling us also of enormous antecedent periods of time) was at work upon them, clearing out the zones where asteroidal movements harmonized too closely with his own. Here, therefore, we may say that in this neglected wilderness of small worlds, we

> "Have come on that which is, and caught
> The deep pulsations of the world,—
> Æonian music measuring out
> The steps of time."

RICHARD A. PROCTOR.

THE RAILWAY AND THE STATE.

SINCE the nations of the earth have been old enough to trade the control of commerce has been undertaken by the state. Its extension or restriction abroad, its development or direction at home, and its influence upon the wealth of the nation or the interests of classes, have all been thought proper objects for the exercise of the sovereign authority. But commerce, if allowed to take its natural course, will, like all other movements of nature, follow the direction of the least resistance, and the tendency of state control has ever been to obstruct this natural channel without supplying others which were deeper or more direct. Control is ever thus upon the verge of interference, and has ever been falling over the verge into the abyss below. This has been the experience of the world. From that experience we have constantly added to our knowledge of the subject, and as in one case after another the control has been shown to result in interference, producing the results it was invoked to prevent, the interference has been withdrawn, and in its place there has been substituted that control only which is exercised by the state over all property: protecting it in its proper use, and preventing its employment to the injury of others.

In all the transactions of trade experience has shown that as each one works for his own interests, he equally works for the greatest good of the greatest number; yet, as new problems present themselves in the advancing course of civilization, it seems to be the tendency ever to solve them by state interference. But the tendency of history is also to repeat itself in this as in other affairs of the world, and the injury resulting from the interference leads to its abandonment.

The railway systems of the world seem to many to afford a new problem. In the memory of men still living the first locomotive was run in the United States, while now there are about

one hundred and twenty thousand miles of railroad in operation — nearly equal to the mileage of the rest of the world combined. The importance here of the railroad, entering as it does into every interest of the country, naturally results in a popular demand for a strict control of it by the law. When fifty millions of active people are every day affected by its operations, there must be frequent complaints and many injuries, whatever may be the principles of its management. Of these complaints many no doubt arise from an ignorance of the causes leading to the conditions complained of,— causes which are beyond the control of the railroad as they are of the state. For the cure of these real or imaginary ills the remedy at once suggested is state control; not by the redress or prevention of alleged injustice or oppression, or by a trial of specific cases on their merits; but by an effort to manage the whole policy and direction of the traffic of the railroads,— to fix their rates and direct their operations.

State interference in the management of railroads and the fixing of rates, is excused on the ground that they are not controlled, as are other commercial institutions, by competition. For a popular belief this is natural enough, for such judgments are generally based upon the information derived from a few uncertain facts, together with the misinformation spread by the politicians and a portion of the press. A close examination of the subject will, however, show that the rates are the product of competition, and are determined by the natural law of all commercial transactions which constantly tends to reduce profits to a minimum. Some of the natural forces which regulate the rates charged by railroads I shall notice under the following heads:

First. Competition of capital.

Second. Competition of parallel railroads and water routes.

Third. Competition of markets.

Fourth. Efforts of the railroads to increase their traffic and net income by decreasing their rates.

First. It is an accepted maxim of economics that the value of money depends upon the relations existing between the demand for its use and the supply. This value, represented by the rate of interest which is paid for its use, constantly tends to equalize itself throughout all countries and in all investments. The differences which exist in the rates of interest in various markets, are regulated by the abundance or the scarcity

of capital in each, compared with the demand for its use. The differences which exist in the rates in any given market are determined by the greater or less certainty of the return from the investments in which the capital is employed. The constant tendency is in all cases for the interest on the capital to come to a uniform rate where there are uniform circumstances of risk. It follows that under the free operation of the laws of trade, capital invested in railroads cannot permanently, or for a long time, earn a higher rate of interest than capital invested in other ways where the uncertainty of return is not greater.

With the threat of governmental interference in the control of railroad tariffs, there is a new element introduced which largely adds to the uncertainties that exist to a greater or less extent under the natural conditions. The capital to be invested in railroad undertakings, therefore, demands the promise of a larger return than would otherwise be required. Such interference, when it is exercised for any other purpose than to redress wrongs and to prevent injustice, must always discourage the investment of capital in new lines which would afford further competition; and a higher rate of interest will be demanded on all the capital invested in railroads before a new line will venture in the same field. Thus the competition of capital, though an indirect, is yet a powerful element in determining the rates charged by railroads. Capital is eager to locate itself where is the fairest promise of return. But if attacked or threatened, it flies from the place, and only the strongest inducements or most earnest promises can again lure it back to the distrusted locality.

Of the arrested development of railroads there have already been some conspicuous cases in the United States, for instance, in the great agricultural States of the west and north-west. These are some distance from the chief markets for their products, and the item of transportation thus becomes a prominent factor in the cost of production in those markets. It is natural that, under these circumstances, any charge that the rates of transportation were excessive would be eagerly received by the agricultural class. It was as natural that the politicians should use these circumstances to their advantage, and do all in their power to increase the misunderstanding between the farmer and the railroad. The farmer was urged to believe himself the

miserable *villein* groaning beneath the oppressions of his feudal lord. He asserted his manhood by sending a champion of his independence to the Legislature. The conflict of natural forces in operation upon rates was interrupted, and the problems were supposed to be solved by counting heads in the legislative arena. In 1874 the principal laws were enacted or went into operation, which authorized the state to fix the rates that private corporations and individuals should charge for the service of transporting or storing grain. In 1876 the constitutionality of the "Granger Acts" was affirmed by the highest court of the land. The effect of all this on capital is illustrated in the following statement of the miles of railroad constructed, as shown in the Report on internal commerce of the United States for 1880, by Jos. Nimmo, Jr., Chief of the Bureau of Statistics.*

MILES OF RAILROAD CONSTRUCTED in Illinois, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Nebraska, and Dakota, yearly, from 1872 to 1880 inclusive.

Year.	*No. of Miles.*	*Year.*	*No. of Miles.*
1872	3086	1877	670
1873	1130	1878	1254
1874	509	1879	2465
1875	357	1880	2915
1876	550		

Of this period, the Commissioner of Railroads for Minnesota remarks as follows:†

"I came into office when railroad enterprise was paralyzed, and the general prosperity of the State at a low ebb; when there was great animosity among the people toward the railroads. I felt it my duty to do everything I could to allay irritation and keep the peace between the people and the railway corporations, to the end that our large agricultural territory might get more roads. After an almost total suspension of railway construction in the Western and North-western States for three years (1874 to 1876), Minnesota was the first to resume building roads, and kept in the lead for several years, until we had substantially a complete system of trunk-lines. There is, to-day, hardly a cultivated farm in the State from which the farmer cannot drive to a railroad station and return in a day.

"I believe that the avoidance of legislative interference with rates, and the administration of this office in a way to encourage the further investment of capital in railways in this State, has had an appreciable influence in this progress and development. Now that we have so many powerful corporations competing for business, we are assured that branches and cross-lines almost indefinite will be constructed, giving in a few years to every locality the benefits of active competition, and the lowest practicable rates."

* Appendix, p. 187. † Report 1881, p. 5.

The great depression in railroad investment during this period of animosity toward the companies was, no doubt, to some extent the result of other causes. The feeling of the people, as well as the suspension of road building, were both, to a great extent, the effect of a common depression following unwarranted anticipations of great returns from all investments. Yet there can be no doubt that, other causes being removed, the threats and attacks of the time were sufficient to drive all movable capital from the field, and to warrant the prediction of Justices Field and Strong in their dissenting opinion, when the decision of the Supreme Court in these "Granger cases" was rendered. "The questions thus presented," they say, "are of the greatest importance, and their solution must materially affect the value of property invested in railroads to the amount of many hundreds of millions, and will have a great influence in encouraging or repelling future investments in such property."

While the attitude of the state toward railroads is of such a nature that no dependence can be placed upon its actions, the investment of capital in railroad building becomes an enterprise of a highly speculative nature. Great returns must therefore be promised to lure the capital into so uncertain a field. The state thus becomes, however unwillingly, the enemy of capital, delays the construction of competitive lines, and so tends, by its interference, to maintain higher rates of transportation.

Second. Competition of parallel lines, by water or rail, is the surest possible guaranty of the lowest rates and the best service. This is a generally admitted truth, and is proven by all experience. So important has this direct competition been considered, that a select committee of the United States Senate, on transportation, in 1874, prescribed it as the best remedy for the evils connected with the subject, which existed or were anticipated. In the conclusion of their report they say:

"We are unanimously of the opinion that the problem of cheap transportation is to be solved through competition, as hereinafter stated, rather than by direct congressional regulation of existing lines." *

To effectively secure this competition, they recommend that the Government build and operate a double track freight railroad from the Mississippi River to the Atlantic Ocean; and tell us that if this road were used to its fullest extent, by having

* Vol. I., p. 242.

trains follow each other at intervals of half an hour, upon grades where thirty or thirty-five cars could be run to a locomotive, the charge on shipments in bulk, on such goods as western cereals, might not exceed seven and a half mills a ton a mile.* The rate on grain, quoted by the Committee, between Chicago and New York, in 1872, was twelve and one-tenth mills a ton a mile. The reduction promised by the Government road was, therefore, four and six-tenths mills.

Congress has not seen fit to act upon the recommendation of the Committee, so the road has not been built. But by leaving the subject to private interests, not only has the danger which at the time was apprehended from the combination of the East and West trunk-lines not been realized, but the rates established by the Joint Executive Committee representing these lines, are now greatly below the rate promised by the Government road. The present tariff on grain and flour from Chicago to New York is twenty-five cents a hundred pounds, or five and four-tenths mills a ton a mile,—less than one-half the rate of 1872, and nearly one-third less than the low rate promised by the Government all-freight road.

This result has been accomplished chiefly through the competition of parallel routes by water and by rail; though we shall see that similar, if not as radical, results would be secured by other forms of competition, which are not commonly so well understood.

Third. Markets that are common to various points of production or supply control the rates from all these points by the competition which may exist with any one of them. The lowest rate to the market by any route, controls the rates by all the other routes. This principle is well shown in the statement of the Manager of the Great Western Railway of England.

"It will fairly illustrate to you," he says, "the practice with regard to some of the grain imported into this country, if I explain the position of Birmingham and South Staffordshire, which is a comparatively small district of about twelve miles square, and contains a population of upwards of one million persons, and therefore consumes large quantities of foreign, as well as home-grown grain, etc.

"This district can be and is supplied from Liverpool, a distance of ninety-eight miles; Gloucester, fifty-three miles; Bristol, ninety miles; Newport, ninety-eight miles; and Cardiff, one hundred and ten miles (taking Birmingham as the place to measure to). It will be seen that Gloucester is the

* Vol. I., p. 154.

nearest point, and as it is connected with Birmingham and South Staffordshire by river and canal navigation, as well as by railways, the cost of conveyance of American grain is cheapest from that place, and therefore the rates from Bristol, Liverpool, Cardiff, and Newport, have to be fixed so as to enable these ports to compete with Gloucester." *

The cost of American grain is probably the same at each of these various points which may supply the market; so that the route having the longest haul can charge no more than the one having the shortest. Though they are not parallel lines, yet as they go to the same market they come directly in competition with one another.

The same rule aids in determining the rates on grain and provisions from various producing points in America to the seaboard, and the ocean rate from there to England. "The United Kingdom," we are told, "is the chief grain market of the world. All the Indian corn and about fifty per cent. of the wheat consumed in that kingdom is from foreign countries." † In this market the chief competitors of the United States are Russia, Germany, Egypt, Australia, Canada, and India. From the fields of production in the United States, then, the rates are controlled by competition with the different routes to the various countries mentioned. The rate from Odessa, on the Black Sea, to Liverpool affects the rate by sea from California, as well as by rail from Dakota.

Now, if the cost of production in Dakota were the same as in Germany, for instance, and the supply in either case were sufficient to meet the demand of Great Britain, the rate from Dakota to Liverpool would be the same as the rate from the place of production in Germany to Liverpool. If it were not as low, Dakota would send no grain to that market. If, however, as is the case, the cost of production in Dakota were less than in Germany, the rate from the former place would be such as to equalize the cost of production in the market. Now transportation is a part of the cost of production in the market. In the place where grain or any other raw material is produced, transportation is, of course, no direct element in its cost. But at the place of production it is worthless; it must be brought to market. That from necessity involves an additional expense, and this additional expense is a part of the cost of production

* Spl. Rept. Dep. Agri. U. S., April, 1883, p. 5.
† U. S. Inter. Commerce, 1880, p. 175.

in the market. This fact suggests the importance and power of the markets in regulating the rates of transportation. This cost of production, other things being equal, determines who shall sell and in what quantities. The selling price of a commodity is there determined by the competition of all sources of supply which the market has. These may be so close at hand that the transportation is an unimportant item; or may be in the place itself, in which case the transportation is no factor. To meet such competition the transportation company is compelled to fix its rates so low that the articles produced at a distance can be brought to the market at a profit to the producer.

This force of competition enters into the determination of the rates on nearly all commodities and in nearly all places. It operates most powerfully upon those things which are consumed in the largest quantities, since for these there is the greatest demand and the greatest competition in their sale. It tends to reduce to a minimum the rates on grain, provisions, and coal, and affects least the rates on silks, broadcloth, and wines. It results in differential rates, which, while they cause complaint from some, are a source of the greatest benefit to the many. It produces competition between places where otherwise none exists; it brings competition to commodities which before were monopolies. And so, in its effect, by constantly tending to reduce the selling price, it restricts profits more and more and brings into stronger play the forces determining the cost of production. Hence result an action and reaction which continually tend to reduce the price of commodities to consumers.

Fourth. The fourth force regulating rates is found in the power which the railroad possesses of increasing its net income by increasing its traffic at lower rates. The influence of this principle in the regulation of rates deserves more extended notice, as it more or less affects all rates of transportation,—of passengers as well as of freight, and between all places.

It is a principle of business generally understood, that more is to be made with small profits and large sales than with small sales and large profits. The wholesale merchant has a greater income, because his transactions are much greater; but the retailer receives a larger profit on the amount of the business he does. The lower rates of the wholesale merchant are, however, a result of economy in exchange and not in production.

Cotton goods, for instance, whether sold at retail or wholesale, cost the same at the factory; and they must in any case be sold at an advance on this cost to realize any profit. But suppose the demand for cotton goods to be so limited that very small quantities were manufactured; while the factories, machines, engines, officers, and general expenses of all kinds, were the same as with a much greater production. Evidently the cost of production of a single yard of calico would be greatly increased. But supposing, on the other hand, by an increase of the demand tenfold, ten times the amount of cotton should be manufactured without requiring any increase of factories, engines, machines, or managers, the cost of producing a yard would be greatly decreased. There would be a greater profit to the manufacturer now, we may assume, in selling the increased production at one-half the former price, than there would be with the former rate and the much smaller sales.

These considerations apply with much greater force to railroads. The manufacture of cotton goods may have but partial influence upon the demand, and unless the demand is increased an increase of the supply at lower rates would result only in a loss. There are times, too, as there are many things, in which the reduction of prices would make no increase of consumption, and would be at the expense of the manufacturer. With the railroad, however, the influences of all kinds of production, of manufacture and of trade, are brought to bear. The increase of production, the establishment of manufactures, and the extension of trade into new fields, in all of its various forms and branches, constantly offer and urge upon the railroad an increase of traffic at lower rates. That such a decrease of rates, if accompanied by a corresponding increase of traffic, would produce larger receipts for the railroad is apparent enough. The important fact is that it does more than this,— it produces a larger net profit. This follows from the fact that the increase of traffic is not accompanied by a proportionate increase of expense.

Some of the expenses of a railroad are fixed, and remain unchanged by any increase or decrease of traffic. Such, for instance, are interest (a very large item) and administration. A much larger number are increased in a very slight degree by an increase of traffic; as superintendence, general offices, agencies, repairs of tracks, bridges, engines, and cars, and other

expenses of a similar nature. What other charges remain are increased by an increase of traffic to a somewhat greater degree, yet by no means in proportion to the increased business. An increase of traffic thus has no effect on large items of the expenses of a railroad; has but slight effect on other items which comprise the larger portion of the company's expenses; and affects in a somewhat greater degree, but still not in proportion to the increase of traffic, the remaining items. On the whole, it will be seen that an increase of traffic may be carried at a less rate and still afford a larger net profit. The following statement from experience illustrates this proposition:

STATEMENT OF TONNAGE, RATES, AND PROFITS OF FREIGHT TRANSPORTED BY THE ROADS NAMED IN 1875, COMPARED WITH 1880.*

1875.	*Miles of Road.*	*Tons Carried One Mile.*	*Rate per Ton Mile. Cts.*	*Freight Earnings.*	*Freight Expenses.*	*Net Earnings from Freight.*
Erie Railway	942	1,016,618,050	1.208	$12,287,399	$9,647,786	$2,639,613
Pennsylvania	905	1,479,414,466	1.058	15,651,741	9,166,374	6,535,367
N. Y. Central	1,000	1,404,008,029	1.275	17,899,702	12,639,005	5,260,697
P. Ft. Wayne & C.	468	491,289,899	1.111	5,430,511	3,371,945	2,058,566
Average	829	997,832,611	1.163	12,817,338	8,693,777	4,123,561
Average to one mile of road	1	1,203,651	1.163	$15,461	$10,487	$4,974
1880.						
Erie Railway	1,010	1,721,112,095	.836	$14,391,115	$9,188,297	$5,202,818
Pennsylvania	1,120	2,298,317,323	.880	20,234,046	10,892,368	9,341,678
N. Y. Central	1,018	2,525,139,145	.879	22,199,966	13,670,884	8,529,082
P. Ft. Wayne & C.	468	806,257,399	.91	7,359,452	4,069,097	3,290,355
Average	904	1,837,706,486	.876	16,046,145	9,455,162	6,590,983
Average to One Mile of Road	1	2,032,860	.876	$17,750	$10,459	$7,291

Tonnage per mile: 1875 1,203,651
1880 2,032,860

Rate per mile: 1875 ..... cents 1.163
1880 ..... " .876

Profit per mile: 1875 ..... $4,974
1880 7,291

It will be noticed that the decrease of rates accompanied by an increase of tonnage has resulted in larger profits. This result may not have been attained by the voluntary reduction of rates on the roads named, as they were influenced, perhaps, more radically in a large portion of their traffic by direct com-

* Compiled from Poor's Manual, 1881, pp. 39–45.

petition of parallel rail and water routes. But similar results have obtained everywhere, whether other principles of competition were also in force or not. The Central Pacific Railroad Company, for instance, is often mentioned as having very little competition for the greater portion of its traffic. Yet we find here the same result. For the period of six years ending December 31, 1882—the same time as shown for the above Eastern roads, but bringing the date down two years later—the rates indicate a similar relation to the volume of traffic, showing a steady decrease with the increase of business. As other forces of competition have here been in less active force than on the Eastern lines, the reduction in rates has been caused to a much greater extent through the efforts of the company to increase its traffic. And it will be noticed that the decrease between the first and last years of those given has been greater on the Central Pacific than upon the Eastern lines; while the increase of traffic has been greater on the Eastern lines than on the Central Pacific.

STATEMENT OF FREIGHT TRAFFIC, RATES, AND GROSS RECEIPTS FROM SAME, ON THE CENTRAL PACIFIC RAILROAD, FROM 1877 TO 1882, INCLUSIVE.

Year.	*Miles of Road.*	*Tons carried one mile.*	*Tons carried one mile to each mile of road.*	*Rate per ton per mile. cts.*	*Gross Receipts from Freight.*
1877	1783	358,982,037	201,338	2.71	$ 9,738,099
1878	2119	392,281,712	185,126	2.75	10,802,276
1879	2319	449,580,783	193,868	2.43	10,934,574
1880	2467	565,063,768	229,050	2.34	13,245,857
1881	2707	733,285,889	270,885	2.16	15,842,139
1882	3041	902,981,309	296,936	1.81	16,302,882

(Compiled from "Poor's Manual" for the different years, and verified by the Annual Reports of the Company.)

RATES.

East..... 1875..... 100 per cent.
1880..... 75 "

Cent. Pac. 1877..... 100 "
1882..... 67 "

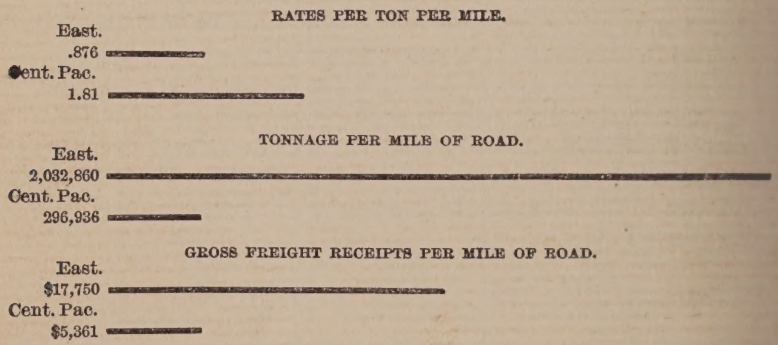
TONNAGE.

East..... 1875..... 100 per cent.
1880..... 169 "

Cent. Pac. 1877..... 100 "
1882..... 147 "

The foregoing exhibit suggests the importance of the relation between the rates and the volume of traffic. Complaint is often made by those who have overlooked the importance of

this necessary relation, that Western lines have higher rates than the Eastern trunk-lines; and the lack of direct competition of parallel routes is commonly assumed as the cause. Yet, when the volume of the traffic is taken into consideration in connection with the rates, it in many cases seems remarkable that there is not a greater difference in the rates than exists. The comparative relations of the tonnage, rates, and gross receipts from freight between the above Eastern and Western roads for the last year mentioned is as follows:



It will be noticed that, notwithstanding the fact that the average rate of the Eastern lines given is about twice that of the Central Pacific, the tonnage of the former is so much greater that the gross receipts amount to about three and a third times as much as with the Central Pacific. And by referring to the former statement it will be seen that the net earnings of the Eastern lines, per mile of road operated in 1880, were $7291; while the gross earnings (the net not being given) of the Central Pacific from the same source were, in 1882, $5361. The difference in this result would probably be to some extent equalized if the interest on the capital invested were taken into account, many of the Eastern lines having double tracks, and a larger equipment being required to transport the much greater tonnage. But taking into consideration all causes of difference which may occur to the mind, the result is apparent enough that the higher rates of the West are a necessity of the much smaller traffic. And we have before seen that to increase this traffic and make larger net profits, reductions in rates are steadily being made.

The fact, then, becomes apparent that the reduction of rates will increase the profits of the railroad if accompanied by a corresponding increase of traffic, for an increase of traffic reduces the ratio of expenses; so the greater the traffic becomes the greater is the profit. Now, by limiting the profit of producers, or increasing the price to consumers, the production and the traffic are equally limited; the general wealth and the profits to the railroad are both restricted. It follows from the necessity of these relations that an increase in the profits of the railroad is not at the expense of the community, but is an accompaniment of that general increase of wealth which has been made possible by the lower rates of transportation.

These natural principles regulating rates all urge the railroads to increase their traffic, as by this means the greatest profits are secured. The possibility of a large traffic offers the greatest inducement to the capitalist to construct new roads; it gives rise to the most active competition between existing lines; it increases the competition in the markets, and it affords always the strongest incentive for the railroads to reduce their rates, if by this means their existing traffic may be increased. The natural principles regulating rates are, therefore, competitive forces; the railroads are everywhere bidding for the business, and where there is the greatest amount of business, there the bidding is most active. So, where there is the least traffic there is the least competition. This produces an important result. The rates are lowest where the greatest quantities are moved, and highest where there is the least traffic. As the decrease in the rate of expense bears an approximate proportion to the increase of the amount of traffic, the connection between low rates and a large traffic is justified on the ground of cost, as well as by the necessities of commerce.

But there is an incidental result which is important to note. The greatest traffic is possible in those things which are produced in the largest quantities, and for which the demand is practically unlimited. These, therefore, have the lowest rates. They constitute, primarily, the necessities of life, which are consumed by all; and, secondarily, the cheaper articles which are the common comforts of the poorer classes. As commodities become more and more expensive they become confined to a smaller class, their consumption becomes, therefore, more re-

stricted, and the incentive to the railroad to carry them at lower rates is reduced in the same degree. These natural principles affect the rates of transportation exactly as similar laws of competition in trade affect prices. They tend constantly to cheapen, first, the necessaries of life; second, the comforts; and last and least, the luxuries. Does not this result in the greatest good for the greatest number?

Controlled by these natural forces of competition, the proprietor of the railroad constantly works to advance the interests of the patron. In seeking to increase the earnings of the corporation, he does not increase rates; but in virtue of the common principles of commerce by which he is bound, the tendency of rates as of prices is ever toward a minimum. In seeking to advance his own interests he works equally to advance the interests of the shippers, and so of the community at large. This result, which is recognized by the Railroad Commissioners of Iowa, is seen everywhere.

"Our people," they say, "are directly the beneficiaries of a steadily and continually falling rate. This reduction of rates is not confined to the through traffic; it applies — in a somewhat smaller ratio, it is true — to the local traffic as well, which is demonstrated in tables further on, prepared from reliable data by the Commissioners. What it is that has produced these reductions in charges is a question rather for the economist; it suffices to be able to point them out and to know that they are welcome tidings alike to producer and consumer." *

The railroad cannot lessen its traffic without reducing its profits; it cannot restrict the development of its traffic without limiting its profits. To injure the shipper or interfere with his interests the railroad must equally injure itself. Is it not, then, safer and better to leave the regulation, classification, and establishment of rates with the proprietors under the control of these natural forces, than to delegate it to a legislature or commission, whose interests in its proper execution are relatively slight, and whose information at the best cannot be compared to that of those who make it the business of their lives? This leaves great power with the corporation, it is true, but the power is in the property. To shift the control from owners to commissioners, only shifts it from the responsible and interested to the irresponsible and non-interested. It does not remove it; that can only be done by removing the road.

* Report, 1881, p. 7.

The interests of the community and of the railroad equally require the greatest possible extension of trade; the greatest possible movement and exchange of commodities. The control of trade by the state, through directing the management and fixing the rates of railroads, must result, as similar efforts have resulted in the past, in interference: in restriction, instead of extension; in an injury, instead of a benefit. The best possible results to all will follow where there is the freest operation of the natural forces of competition.

GERRIT L. LANSING.

ILLUSIONS OF MEMORY.

DURING his consulship in England, Hawthorne was traveling near Oxford, and while visiting Stanton Harcourt he had a curious psychological experience, which he describes in "Our Old Home." Nothing about this locality interested him more than the kitchen of the ancient castle. Behind a hearth thirty feet square there were two huge fire-places, used in olden times for roasting oxen whole, while the smoke found its way through great holes in the roof seventy feet above. This room is one vast chimney, the rough interior walls blackened with the smoke and soot of centuries, and lighted only from the apertures above. "Now, the place," writes Hawthorne, "being without a parallel in England, and therefore necessarily beyond the experience of an American, it is somewhat remarkable that while we stood gazing at the kitchen, I was haunted and perplexed by an idea that somewhere or other I had seen just this strange spectacle before. The height, the blackness, the dismal void before my eyes, seemed as familiar as the decorous neatness of my grandmother's kitchen."

This incident, to which the author's sequel will be given later, fairly introduces, I think, the following study of a very odd sentiment that sometimes comes over us in the ordinary run of thought and action,—that the entire present situation is not new, but merely the repetition of a former one. It is not always easy to put this feeling into language; it varies from the vaguest suspicion to the intensest conviction. We exclaim inwardly: "Why, I have seen or thought this all before," and yet, the most diligent search of memory failing to confirm the impression, we infer we have been deceived. In all this there is an absence of the slight shock occasioned by surprise, but at times there ensues a feeling of uneasiness and actual discomfort, especially when this sense of earlier experience is so strong that

a forecast of what is to follow seems impending. We may be listening to a new and elaborate musical composition, or absorbed in reading a recent novel, or perhaps in the midst of a large company of people, when it comes over us that it is all an old story. Sometimes travelers tell of considerable disappointment upon looking out over some famous landscape for the first time — disappointment, because there was none of the delightful and coveted sense of novelty; while others have gone from street to street in a strange city, regretful at every turn because no step seemed untrodden. Even in dreams this state of mind occurs, with a vague and unaccountable sense of having dreamt the same before. It worries the existence of some authors, depriving their brightest inspirations of originality. "I told you, the other day," says the Autocrat of the Breakfast Table, "that I never wrote a line of verse that seemed to me comparatively good, but it appeared old at once, and often as if it had been borrowed."

Rossetti expresses the idea beautifully in one of the sonnets of the "House of Life":

"I have been here before,
But when or how I cannot tell;
I know the grass beyond the door,
The sweet, keen smell,
The sighing sound, the lights around the shore.

"You have been mine before,—
How long ago I may not know:
But just when at that swallow's soar
Your neck turned so,
Some veil did fall,—I knew it all of yore."

Walter Scott, too, spoke of it as the "sentiment of preëxistence"; and owing to the natural tendency to seek remote causes, many poetical natures have, perhaps, felt that "these flashes are the sudden recollections of a previous existence,"— a thought well known in Wordsworth's lines:

"Our birth is but a sleep and a forgetting.
The soul that rises with us, our life's star,
Hath had elsewhere its setting,
And cometh from afar."

This interpretation is one of several that have been put upon Plato's doctrine of the "immortality of ideas"; and believing in

the preëxistence of the soul, he may have consistently held that one state has a dim memory of the one preceding, although his εἶδος had a widely different significance from our word idea. "A great argument," wrote Cicero in "De Senectute," "in favor of the view that men know many things before their birth, is in the fact that boys in course of learning difficult subjects assimilate countless things so quickly that they seem not for the first time to hear them, but to remember and recall them from the past. Thus says our Plato." It is interesting to note that Plato's theories find modern scientific support growing out of the doctrine of heredity, as in the views advanced by Hering, that there is a race as well as an individual memory.

There is a vague and mysterious mental form in these impressions equally attractive to the poet and the psychologist; hence, while there are many allusions to them in general literature, no recent writers on mental science pass them without comment. Among the latter this has been handled as "false," "unconscious," or "illusory memory"; and others again assign it to physiological causes, such as "double perception," "double presentation," or "double consciousness." Holmes, Sully, Ribot, and two German physicians, Sander and Pick, have dwelt on the subject more or less in detail; and we learn from the latter that this sentiment sometimes becomes a pathological mental condition.

Two years ago I began a systematic inquiry into the subject, by means of an extended correspondence; and in connection with Mr. Francis Galton's series of questions upon "Visualizing and Allied Faculties," the following question was distributed at Princeton and elsewhere:

> Have you come suddenly upon an entirely new scene, and while certain of its novelty felt inwardly that you had seen it before — with a conviction that you were revisiting a dimly familiar locality? Mention if you can an instance or two in which this has occurred. Has any satisfactory explanation of this experience ever suggested itself to you?"

This question elicited affirmative replies from about one-half the correspondents, covering experiences of considerable variety; from a few writers came original suggestions of all degrees of plausibility, but it was also evident that few could offer explanations which satisfied themselves. The following three instances are selected as fairly representative:

a. I have never had this feeling as to locality, but I have frequently been under certain novel circumstances, and have had certain thoughts which I seemed to recognize as having occurred before. This is a common experience with me. Some time ago I was sitting in church when, suddenly, the words of the speaker, his tone, the time, place, and surroundings all suggested to me that I had been under precisely the same circumstances before. It is a very vague feeling with me, and it is hard to define the sense of familiarity.

b. I have experienced this feeling quite frequently. Sometimes I dream what seems at the time to be familiar, and yet different from anything dreamt before. The only explanation at all satisfactory was that I had seen something similar in a painting or drawing.

c. Somewhat more than a year ago, I visited the city prison of Mazatlan in Mexico. It consisted of a court open to the sky, on three sides of which the cells opened, the fourth being a high wall. The entrance was by an arched passage-way with three barred gates. The court paved with cobbles, the entrance, the several rooms, every surrounding internally, seemed as familiar to me as home. Not so with any portion of the exterior. Yet I had never been within three thousand miles of the place until this journey.

It is clear from these and other experiences that everything within the range of memory is subject to association at one time or another with these mysterious impressions. It is also clear that they involve some aberration, some illusion of memory. What are these illusions, and how can they be explained?

By the "Autocrat" are noted the following peculiarities: first, that the condition which seems to be recalled is often a very trivial one; second, that the impression is very evanescent, and rarely, if ever, recalled by a voluntary effort; third, it often seems that the duplicate condition had not only occurred once before, but that it was familiar, and even habitual. Under a wider search it turns out that they follow no rule; they occur at all times, often when the mind is fatigued, or when we are wide awake, in reveries, or in dreams. The feeling of familiarity may arise immediately, or, more rarely, some minutes, hours, even a day afterward. It varies in intensity. The former experience, however, may seem that of a year ago or far beyond our furthest memory. To some persons it comes frequently, to others only once or twice in a life-time; but certain tendencies or aptitudes are displayed. In some minds localities alone arouse the sentiment, while in others, for example, it is chiefly connected with music or with personal incidents.

My attention was first called to these illusions by a Southern gentleman; he had experienced them only in connection with

scenery, and attributed them to the supposed uneven action of the nerves supplying the eyes, one side of the brain thus receiving the image before the other, and causing the second image to appear as a familiar repetition of the first, in this way giving rise to a deception. This, doubtless, is one form of a popular notion which probably originated with Dr. Wigan in 1844. In his "Duality of Mind" he argued that when fatigued or partially conscious, one hemisphere of the brain only was called into action, forming a faint impression, the other "hanging fire"; until, suddenly aroused by attention, both hemispheres united to form a distinct impression. There then arises vague consciousness that the ideas have passed through the mind before, while the briefness of the time interval is overlooked because of the indistinct character of the first impression. "While the images are two," says Professor Hodgson, more recently, "the surroundings are not perceptibly different; the subject of illusory memory, sensible of two images, refers them to different times or to different times and places, one to the past, the other to the present." Jensen, Huppert, and Wiedermeister, independently of Wigan it seems, have adopted similar views,—that the hemispheres in ordinary cases work as one, but at times getting out of gear, as in the case of these illusions, they reveal their dual action.

These explanations, ingenious as they are, have insuperable difficulties, such as the following: that the doubleness of brain action is a mere assumption; that these illusions occur in full health; and, finally, that they often arise some time after the incident which occasions them. Further than this, why seek for a remote and doubtful cause when so many of these illusions can be traced to the breaks and fallacies of the ordinary run of memory? To make this clear, one must first understand what memory is; secondly, how breaks and fallacies may occur.

Physiologically speaking, the memory of an event is a revival, a repetition of the original brain changes accompanying that event; it is not on record in a single cell, as was formerly believed, but in a group. From the psychical stand-point, also, memory is the revival of an association of ideas, it being impossible to revive an idea isolated from others. Now, if at any time in our past lives we passed in actual experience or in imagination over a mental track, say *a b c d e*, and if to-day this track is again traversed, although the former experience itself

may have been long forgotten, we have a sense that it has been through the mind before, or a sense of recognition. Here often enters a fallacy of memory; we believe we have actually lived through it before, whereas it may only have existed in our imaginative or dream life. Again, if the mind passes over only a part of the former track, say *b c d*, we sometimes, in the dim recognition which arises, believe we have been over the whole before — another fallacy. The rationale of most illusive recognition, then, may be found in present analogies to the lost mental records of actual past life, in the former wanderings of our reveries and dreams, or in half conscious trains of thought.

We can most readily understand how these impressions may arise from actual anterior experience. The bases of such memories, Dr. Carpenter remarks, are capable of being laid at a very early period, and he records several interesting cases bearing on the point. I quote the following, in abstract:

"Dr. ——, a clergyman, one day went with a party of friends to visit Pevensey Castle, which he did not remember to have ever previously seen. As he approached the gate-way he became conscious of a vivid impression of having seen it before; and he seemed to himself to see, not only the gate-way itself, but donkeys beneath the arch and people on top of it. This strange conviction made him inquire from his mother if she could throw any light on the matter. She at once informed him that, being in that part of the country when he was about eighteen months old, she had gone over with a large party and had taken him in the pannier of a donkey. While the elders of the party were eating their lunch on the roof of the arch, he had been left on the ground with the attendants and animals."

A correspondent has sent me a similar experience of his own:

"A few years ago, while traveling in Missouri, I visited one of the famous battle-grounds of the civil war. I almost immediately had the impression that the whole scene was familiar, yet I could not recollect ever having been there before. Upon returning home, I inquired of my parents, and was told that when quite young I had been carried to the battle-ground, and at the time was very deeply impressed with its appearance."

Others tell of finally unriddling these sentiments in the scenes or conversations of early life — memories so distant that they cannot be brought into consciousness, yet sufficient to arouse this sense of early experience. Apropos of these memories, Steele wrote in his "Recollections of Childhood," "The mind in infancy is, methinks, like the body in embryo, and receives

impressions so forcible that they are as hard to be removed by reason as any mark with which a child is born is to be taken away by any future application."

From another point of view, all these sentiments are due to incompleteness of recollection, and through this, obscure likeness with earlier experiences is often mistaken for identity, and the portion of a process awakes the false memory of a whole by an imperfect association. Few of us, in fact, are aware upon how few data of resemblance our sense of recognition is often based. The following amusing incident shows how misleading a partial likeness is:

"Dr. M., residing in ———, was during one winter accosted several times by strangers, who bowed, and upon one or two occasions greeted him in a most friendly way. In each case apologies ensued; and after this had happened several times, he became convinced that he had a double. One evening at a small party he noticed that the hostess accosted him by another name, and subsequently that several of the guests whom he had not previously met made the same mistake. Finally, he faced a gentleman whom he soon felt must be his counterpart, and such proved to be the case. Side by side the dissimilarity was apparent. The resemblance might at most have suggested a remote family relationship, yet it was sufficient to confuse the entire company."

Our day-dreams and waking imagination are, in Sully's words, "unauthorized mints which issue a spurious mental coinage, and so confuse the genuine currency." Take the case of Hawthorne, in his visit to Stanton Harcourt: "Though the explanation of the mystery," he writes, "did not for some time occur to me, I may as well conclude the matter here. In a letter of Pope's, addressed to the Duke of Buckingham, there is an account of Stanton Harcourt, where he resided while translating a part of the 'Iliad.' It is one of the most admirable pieces of description in the language. . . . And among other rooms he dashes off the grim aspect of this kitchen. This letter, and others relative to his abode here, were very familiar to my earlier reading, and remaining still fresh at the bottom of my memory, caused the weird and ghostly sensation that came over me."

A writer in "Notes and Queries," many years ago, held that some cases on record can only be explained as instances of foreknowledge; that in dreams and reveries we sometimes anticipate a future event, and that this impression, forgotten in the

interval, is revived by the actual occurrence. In proof, he cited from the "Confessions" Rousseau's reverie of "the happiest day of his life," which was realized seven years after at a *fête champêtre*. It happened that the poet recalled the reverie from his diary; if, however, it had only remained as a faint remembrance, it might have been a case of the kind under consideration.

The part played by semi-prophetic dreams in illusive memories is most interesting, yet our dream recollections are so imperfect that it is difficult to follow up the thread leading to them; and if we consider how apt we are to confuse our past real life and dreams, this part seems more probable, many a dream episode recurring in moments of abstraction with the full force of a real scene, although its truth may have been sifted and contradicted once and once again. While preparing his work, "Schlaf und Traum," Paul Radestock formed the habit of keeping an exact record of his dreams, and he writes:

"When I have been taking a long walk, with my thoughts quite unfettered, the idea has often occurred to me that I had seen, heard, or thought of this or that thing once before, without being able to recall when, where, and in what circumstances. After these impressions, I was able to turn to my record, and in doing so I generally found the conjecture confirmed that I had previously dreamt something like it."

A college student, quite independently of the above, confirms it as follows:

"Sometimes, while in a dream, I have imagined myself in a certain surrounding of companions and situation; in the morning the dream is vaguely recalled for an instant, then forgotten. Within a month or so I will find myself in a situation which does not seem wholly strange—although I am confident of never having experienced it before. The dream I had subsequently occurs to me, and I am conscious of the resemblance, although my remembrance of the dream is far from distinct."

The once popular surmise, that nothing which has once passed through the mind is absolutely forgotten, is now abandoned; indeed, as Ribot well says, forgetfulness is a condition of memory. If any one were obliged, under fear of some great penalty, to give a narrative of a certain period in his past life, he would at once be overwhelmed with the sense of his forgetfulness; memories such as that cited by Dr. Carpenter, or the visual image formed by Hawthorne, would certainly not be

evolved by such an effort. It was only the chance visit to Pevensey Castle and to Stanton Harcourt, in these two cases, that gave the clew to those former mental states and their genuine existence in the past; a step further in forgetfulness, and Hawthorne's experience would always have remained a mystery to him. It is a fact that the majority of these illusive memories are never explained; this is why they have attracted so much interest and such discrepant theories. But while there are more breaks than connected links in the chain, there is yet revealed a vast store-house of past facts and fancies, of whose very existence we are unconscious; they are upon the verge of obliteration, the vestiges of early scenes and events which have survived the general destruction, and whose echoes merely may be aroused by these illusions. Viewed in this double light, the sum total of our conscious and unconscious memories is larger than we think.

This suggests another possible source of illusive memories in unconscious cerebration, including those latent cerebral processes so suggestively unfolded by Dr. Holmes in various works, which, for example, we set in motion to hunt up some fact escaping our recollection at the moment, or to solve some difficult problem of thought. They may be accompanied by an undefined sense of uneasiness in the brain, but beyond this give us no intimation of their activity. All that need be added is that they are not parts of fully conscious thought,— they proceed when the attention is directed to something else; hence they cannot be recalled. The question arises here, Do they ever furnish us with vague memories? Dr. Wigan gives an instance of not unfrequent occurrence, in the reading of a page, as we often find ourselves doing, with the mind upon another thought; not a syllable is remembered, so we turn back and re-read, at times, he says, with a dim sense of recollection. These automatic brain actions are free to pass over all the range of our experience, and, of necessity, in an orderly sequence. Is it not more than possible, then, that if we happen to retrace some of these steps in our conscious life, the sentiment may spring up that they have been through the mind before; when or how we cannot tell? Suppose, for example, that one of these unconscious trains of ideas, *b c d*, may by mere chance have thus been passed through, and meeting the same succession in the pages of some new book, the repetition gives us a sense of

recollection. This is the most unknown region to psychologists; so the above is, at best, a conjecture, plausible as it appears.

It will be observed that the various cases heretofore used in illustration are, as far as we can discover, imperfections or illusions of healthy memory, and occasion, at the most, only a temporary uneasiness. Imagine them no longer occasional, but extended to every act and thought of daily life, and you have a rare but well-recorded psycho-pathological condition. Here the illusions, fostered by the insane temperament, gradually assume the form of a delusion, *i. e.*, permanent self-deception, and become most perplexing, even where the other faculties are little impaired. Two cases are selected where the patients themselves gave a fair description of their own disorder; they are those recorded by Sander and Pick:

"For example," says one of the patients to Dr. Sander, "I am talking with somebody upon a certain subject from the newspaper, about the war or the invasion (Franco-Prussian); that is, after once reading it in the newspaper. Then the feeling immediately comes over me as if I had already read the same thing at some time previous, in the same newspaper, with the same surroundings. All a former experience, as if I had lived through it in the same room about a year before." The patient went on to say that this anxiety accompanied not only isolated experiences, but his entire life; so that the real experience of each moment seemed to exist only in his thoughts, and to have really happened long before.

The case given by Pick is still more remarkable:

"These hallucinations began in scattered experiences. For example: visiting new localities or meeting strangers, the attendant circumstances came so clearly before me that I was seized with the conviction that I had seen these localities or persons before, under identically the same conditions of time, weather, and place. Two years later, however, not only every act of my trade and daily life, but whatever went on without or within my mind, brought with it the same conviction that it had happened years before. This came on at the moment of the experience or some hours, perhaps a day, later."

This is from the patient's journal, where we also find that these deceptions were observed in early life; that they increased very gradually, being at one period not more frequent than in many normal instances; that under the insane disposition they slowly induced a total falsification of consciousness; so that the deluded patient finally began to regard his life as made up of

slowly recurring periods of exactly similar events, and at one time believed he was undergoing a kind of metempsychosis.

The question immediately arises, Do these insane illusions fall under the principles described above, or are they due to some other cause? It is a delicate one. Ribot has maintained that quite a different principle obtains; that here the image or repetition of the impression is mistaken for the impression itself, which is falsely located in the past. It would appear, however, that a little want of balance in the recognition process may have started these illusions, and that they increased under a similar deficiency in reasoning power to that which gave the second patient the delusion that he was suffering persecution.

Whatever conclusion is reached on this point, I like, with Sully, to regard many of these illusive memories as incomplete rather than as abnormal steps in the recognition process. A complete recollection brings with it the exact time and place of occurrence; a partial recollection brings with it the fact, with an indefinite sense of when and how it passed through the mind. Here belongs the confusion of past real with past imaginary experiences. An incomplete memory brings with it only the vague sense that it has been experienced before, and the other circumstances are so completely lost that it opens the gates to every kind of error of judgment and perspective. I have therefore adopted the term illusive because in most, although not in all cases, these memories give rise to illusions.

HENRY F. OSBORN.

THE MEANING OF SONG.

"A SONG" has long stood in our speech as the synonym for utter worthlessness, and in our thought as the synonym for priceless values; so that we sell for a song the toy for which there is no competition, and we buy in a song the joy for which there is no equivalent. The proverbial use of "song" as an expression of contempt has probably come down to us from the days when the writers of popular songs were ashamed to put their names to verses that catered to a depraved public sentiment. But the author of the music had no such reason to hide his personality; and so it comes about that an old song often brings down the name of its composer, but no hint of the original hand, nor of the many succeeding hands, that have made or molded the words to suit the requirements of different generations. Even down to the revival of song begun by Robert Burns, the words of a ballad were too often anybody's or nobody's, and thus the ballad itself came to represent the price of an article which was too trifling to be claimed.

Does the power of a song lie in the melody, in the association, or in the words? Sir Thomas Browne says there is music wherever there is harmony, and of the movements of the spheres, that "though they give no sound to the ear, yet to the understanding they strike a note most full of harmony." George Henry Lewes says: "The primary requisite of music is, not that it shall present grand thoughts, but that it shall agitate the soul with musical emotions." Lady Eastlake says: "Pictures, poetry, thoughts, hatreds, loves, are all more fleeting than tunes." Even to the effect of tunes played on a hand-organ we have some wonderful testimony. Leigh Hunt says the hand-organ which "brings unexpected music to the ear," affected him like the sight of a tree in the streets of London. Byron breaks off suddenly in the midst of one of the dreariest entries in his Ravenna diary to say: "Oh! there is an organ playing in the street — a waltz, too! I

must leave off to listen. They are playing a waltz which I have heard ten thousand times at the balls in London, between 1812 and 1815. Music is a strange thing." Herbert Spencer says: "An air from a street piano, heard when one is at work, will often gratify more than the choicest music played at a concert by the most accomplished musician."

All the "musical emotions" here referred to were made upon highly organized beings by the lowest form of music, and instances could be multiplied endlessly in which the deepest effect is produced by the simplest strains. Byron, in another page of his diary, says: "Music — Tyrolese air with variations. Sustained the cause of the original simple air against the variations of the Italian school." Sir Walter Scott says: "The effect of simple, even rude, music is such as cannot be attained by the most learned compositions of the finest masters." Lamb, Goldsmith, and Washington Irving have all left their tribute to the power of simple songs. Hawthorne says of a cathedral organ heard in the distance: "It thrills through my heart-strings with a pleasure both of the sense and spirit. Heaven be praised, I know nothing of music as a science; and the most elaborate harmonies, if they please me, please as simply as a nurse's lullaby." Professor Kneeland said of the music heard in Iceland at the millennial celebration: "I understood hardly anything of the hymns sung, and yet I do not remember of ever having been so affected by music; sweet, solemn, and slightly plaintive, the chorus of 'Iceland's Thousand Years,' words and music of Icelandic origin, brought tears into most eyes, and I am sure it did into mine." Burns says: "Because I am cheaply pleased, is it any reason why I should deny myself the pleasure? Many of our strathspeys give me most exquisite enjoyment." So melody alone, and that of the simplest sort, can produce the most delightful musical effects.

Coleridge attributes the power of song to association:

"Every human feeling is greater and larger than the exciting cause,—a proof, I think, that man is designed for a higher state of existence; and this is deeply implied in music, in which there is always something more and beyond the immediate expression."

Dr. Channing, in a letter to Joseph Blanco White, says:

"I am no musician, and want a good ear, and yet I am conscious of a power in music which I want words to describe. It touches chords, reaches

depths in my soul which lie beyond all other influences,— it extends my consciousness. . . . Nothing in my experience is more mysterious, more inexplicable. An instinct has always led men to transfer it to heaven, and I suspect the Christian, under its power, has often attained to a singular consciousness of his immortality."

"Poetry and music came down from heaven, and will be found there again," says D'Aubigné. No saying of Carlyle's is more familiar than the following, on the same theme: "The meaning of song goes deep. Who is there that, in logical words, can express the effect music has on us? a kind of inarticulate, unfathomable speech which leads us to the edge of the Infinite, and lets us for moments gaze into that." In connection with the association power of music I recall Wordsworth's lines on hearing in the Alps the "Ranz des Vaches," that air which is said to possess a charm for Swiss ears only.

> "I listen, but no faculty of mine
> Avails those modulations to detect,
> Which, heard in foreign lands, the Swiss affect
> With tenderest passion; leaving him to pine
> (So fame reports) and die,—his sweet-breathed kine
> Remembering, the green Alpine pastures decked
> With vernal flowers. Yet may we not reject
> The tale as fabulous."

The same power of association is attributed to the Scottish air of "Lochaber No More," which the Highland regimental bands are forbidden to play in foreign lands; but the air itself is touching to the susceptible of any clime or country. Byron's reference to it will be recalled:

> "The home,
> Heart ballads of Green Erin or Gray Highlands,
> That bring Lochaber back to eyes that roam
> O'er far Atlantic continents or islands,
> The calentures of music which o'ercome
> All mountaineers with dreams that they are nigh lands
> No more to be beheld but in such visions."

Association, then, can give to songs the power of producing their most thrilling effects aside from the intrinsic beauty of the melody. Still another distinct capacity of calling up these subtle feelings is believed to lie in the words. If these are melodious,

inspiring, poetical, they should awaken the same emotions that are stirred by melody or association. Dibdin says:

"Those who get at the force and meaning of the words, and pronounce them as they sing, with the same sensibility and expression as it would require in speaking, possess an accomplishment beyond what all the art in the world can convey."

We have but to recall the additional pleasure with which we listen to a song thus sung, in order to believe that an immortal song may owe its life to the poet and not to the musician, or to that magician, Association. Thus it would seem that the power of a song lies in the melody or harmony of tone, in the association, in the beauty of the words. Any of these singly can make a pleasing effect; all of them combined produce that which has moved the heart for ages.

A fine illustration of the immortality of an air in spite of words which are not only poor as poetry, but go as far as words can in destroying the charm of association, is seen in the British national anthem, "God Save the King." The singular irrelevancy of the words will best be understood by a glance at their history. They are generally supposed to have been written by Henry Carey, author of "Sally in our Alley," for James II., the exiled monarch; to have been revived during the rebellions of 1715 and 1745, and then silenced by the failure of the Jacobites; and to have re-appeared with the reading, "God Save Great George, our King," but with the references to former reigns unchanged. In no other way could a meaning be found, in the quiet and undisputed accession of George, for the lines

"*Send* him *victorious*,
Long to reign over us."
"O Lord, our God, arise,
Scatter his *enemies*,
And make them fall.
Confound their *politics*,
Frustrate their *knavish tricks*."

But that explanation does not account for the last lines above given. They probably refer to the Gunpowder Plot; one strong proof of which is, that part of the language is identical with that introduced into a special prayer, ordered by the church to be offered for the king, after the discovery of that plot. The

song has been attributed to Ben Jonson, and, I think, correctly. He was Poet Laureate during the reign of James I., and as such would be called upon to eulogize his liege in verse. Soon after the discovery of the Gunpowder Plot, the Honorable Merchant Tailors' Company of London had a memorable meeting, at which a "great chorus of gentlemen and children of the royal chapel" sang. It is known that the music, written by the famous Dr. Bull, was produced on that occasion. To him the air of "God Save the King" is always attributed. The hall of the Merchant Tailors was soon afterward burned with all its contents, but the song was in the memory of the singers. Ben Jonson, being a true poet, would be glad to have such forced and doggerel verse destroyed. Carey lived during the reigns of Charles II., James II., William and Mary, Anne, and two of the Georges. He was a song-writer and a man of brilliant wit, but a satellite of nobility. He could easily have taken the floating fragment and trimmed its sails to catch the passing breath of royal favor. And so it grew, and has come down to us "with all its imperfections on its head," the poorest English national song, set to the finest melody.

Another instance of the remarkable immortality of an air, totally dissevered from sense or beauty of sentiment in the words, is our own saucy, world-defying quickstep, "Yankee Doodle." The words, absurd as they are, illustrate the fact that there may be deep meaning in the apparently aimless journeying of a song, and more popular knowledge of its history would add greatly to the association-charm of what we have always been half ashamed to call our national melody. I give the story as I have searched it out, the more readily because I have lately seen paragraphs relating to it that betoken both interest and ignorance. "Yankee Doodle" has been a true melody of the people in many lands. From the vineyards of France, from different provinces of the free Pyrenees, from the dykes of Holland, and from the Puritan struggles of England, the air comes down to us. In Holland the laborers received as their wages "a tenth of the harvest and as much buttermilk as they could drink." As they reaped they sang:

"Yankee dudel, doodle down,
Diddle, dudel, lanther,
Yankee viver, vover vown,
Buttermilk and tanther."

In England, in the reign of Charles I., the air was sung to a rhyme which is still heard in our nurseries:

"Lucy Locket lost her pocket,
Kitty Fisher found it;
Nothing in it, nothing on it,
But the binding round it."

When Cromwell rode into Oxford upon a small horse, with his single plume fastened into a kind of knot, the whole outfit intended to suggest Puritan horror of high-stepping steeds and waving plumage, some waggish cavalier invented the following rhyme, and set it afloat to the homely melody of labor:

"Yankee Doodle came to town,
Upon a Kentish pony;
He stuck a feather in his cap,
Upon a macaroni."

A "macaroni" was a small rosette, in shape and size like an Italian macaroon, called so from a blunder of the English in confusing the names of two Italian dishes so similar in pronunciation and spelling. The tune first came to this country in 1755. Braddock was assembling our forefathers near Albany, for an attack on the French and Indians at Forts Niagara and Frontenac. As the Continental recruits came in wearing all the fashions that had been seen in England for a hundred years, and bearing every weapon but those familiar to the fresh, well-drilled British troops, the old picture of Cromwell on the Kentish pony rose before the mind of another waggish cavalier. Dr. Richard Shuckburg, regimental surgeon, was a wit and a musician. Planning a joke for the amusement of the camp, he wrote out the score of "Yankee Doodle," and gave it to the leader of the Continental band as the latest martial music. It was easily caught and enthusiastically played, amid shouts of laughter in the English ranks. Twenty-five years later there was less mirth in the British army when, with Lord Cornwallis at its head, it surrendered to Continentals whose band was playing "Yankee Doodle." It was happy augury that so linked the Puritans of the Old World and the New—Cromwell and Washington, both marching to victory over despotism to the music of labor and freedom set for them in derision by their foes.

Another song, associated with a still more intense national struggle, shows in a wonderful manner how melodies come

with the need for them. The marching song of the war for the Union no more sprang from the ground than did the affliction that called it forth. I refer to the song called "John Brown's Body." Many were shocked to hear the almost sacred utterance "Glory, Hallelujah!" resounding through the North to the echo of armed tread, or the strains of martial music. But it would not cease. The refrain, as well as the lugubrious words,

> "John Brown's body lies a-moldering in the grave;
> His soul is marching on,"

suited exactly the underlying politico-religious enthusiasm of that war. The fact is therefore not so strange as it is striking, that the air sprang to being almost at the same time from Charleston, South Carolina, and Charlestown, Massachusetts. In 1859 it was brought North by a gentleman who heard it as a hymn in a colored Presbyterian church in Charleston. About the same time the organist of the Harvard church in Charlestown found it among the musical archives of that church, and fitted to it the first stanza of the present song. The Glee-Club of the Boston Light Infantry took it up in 1861, and asked Mr. Charles Hall to write additional stanzas, which he did. The melody of the John Brown song will probably never die, but whether the words will be sung again is doubtful. They were weird, and solemn, and sad. They seemed at once like the funeral-note of slavery and the pean of triumph in the cause for which John Brown had died. They were sung by Northern and Southern soldiers together many a time, as if in unconscious prophecy of an event in which they should both rejoice. Soon after the burial of the poet of liberty, Béranger (1857), there appeared in the "Paris Charivari" a set of verses with the same general import or burden as the John Brown song. I quote from memory some lines of a translation:

> "Bury Béranger! well for you,
> Could you bury the soul of Béranger, too.
> Bury the body of Béranger,
> Bury the printer's boy, you may,
> But the soul that wrought in that printer's boy
> You can neither bury nor destroy!"

The two lyrics may have no other connection than that formed by the coincidence of sentiment due to similarity of fact.

There is another American song which, although it is famous only in memory, was a growth of occasion, and was dependent on its air for popularity, and therefore claims a place in a discussion of the *raison d'être* of songs. "Tippecanoe and Tyler, too," was to the political canvass of 1840 what the Marseillaise was to the French Revolution. It sang Harrison into the Presidency. Through this half-martial, half-rollicking melody the pent-up feelings of a people whose banks were suspended, whose laborers were out of work, who were pinched by hard times, and to whom the Whigs promised "two dollars a day and roast beef," had found expression, and the song was sung throughout the country as if by madmen. It has been attributed to John Greiner, the Ohio politician and editor, who, in that song-singing campaign, wrote "The Wagoner Boy," and "Zip Coon"; but the credit belongs to the late A. C. Ross, of Zanesville, in the same State. Mr. Ross was member of a political glee-club and of a church choir. "Martin's Lament," "Hard Times," and many other songs had been made, but none answered the popular demand, when a friend suggested to Ross that the air of "Little Pigs" would furnish a chorus if suitable words could be written. Mr. Ross went to church with his brain full of the suggestion. He sang gravely through voluntary and opening hymns, and then settled himself to his task. By the time the minister had reached "lastly," "Tippecanoe and Tyler, too," had been set dancing to the tune of "Little Pigs." One line, and that an important one in the refrain, baffled him. On Saturday night he was obliged to tell the club that he had a song — all but one line. "What is that?" said some one. "Van, Van, you're a nice little man," said Ross. Make it "Van, Van's a used-up man," cried his friend — and so it was, and he was, and that epithet had much to do with his using up. Mr. Ross came to New York to buy goods, and attended a political meeting in Lafayette Hall. Charles Delavan was presiding. Prentiss of Mississippi, Tallmadge of New York, and Otis of Boston, were to speak. Songs had been exhausted, and the vast audience was becoming restless, for still the speakers did not come. Delavan called for volunteer songs, when Ross arose near the door, and said that if he could reach the stage he would give one. "Pass him along!" and he was passed along over the heads of the dense mass until he stood upon the platform. "Who are you?" demanded the crowd. "A Buckeye, from the Buckeye State,"

said Ross. When three cheers for the Buckeye State had subsided, Ross requested the company to be quiet until he had sung three stanzas, and then join in if they liked. By the time the third chorus was reached, the whole audience struck in with indescribable effect.

Two classes of songs show in a remarkable degree the fact that the human voice in harmonious utterance needs neither association nor perfection of language to give it force. They are sea songs and negro songs. The conventional and traditional songs that are classed under these heads are not in the least like those really sung. Dibdin and many other writers of the island that "rules the wave" have written songs which are perfect as landsmen's songs for sailors; but no sailor would dream of singing them. The music actually used is more like snatches of chants, with absurd and picturesque and sounding words; just the burden of a song which they can lift together as they pull the heavy rope in concert. I well remember the chorus, as solemn as the sea, and as inspiring, that I once heard, when, in a storm, the sailors were reefing sail at midnight. I strained my ears to catch the words, and during a lull they came, clear and distinct, a volume of sound like a flood:

"O, O, roll a man down!"

If they had been committing a human being to the watery gulf, the sound could not have seemed more impressive. There is a fine instance of a landsman's sailor-song, made popular in this country by the singing of Incledon, the English tenor, which Clark Russell, the writer of sea stories (a son of Henry Russell, the vocalist) uses to illustrate the point I am speaking of. The song is called "The Storm," and in our anthologies is generally attributed to William Falconer, although there seems to be no reason to doubt that it was really written by George Alexander Stevens. Russell puts a stanza into the mouth of an old tar, with the following comment and dialogue:

"Now it freshens, set the braces;
Quick the topsail-sheets let go!
Luff, boys, luff! don't make wry faces!
Up the topsails nimbly clew!"

"'Set the braces;' how's that job done, d'ye know? And when they was told to 'luff, boys, luff,' did they let go of the

wheel to 'up their topsails nimbly clew?' It must have been a bad storm, that. I wonder they didn't ship a capstan-bar in a lee scupper-hole, to keep the ship upright!" "You mustn't be too critical," said I. "It's the music of those old songs that makes them beautiful." "I've got nothen to do with the music," he said, warmly. "It's the words I'm lookin' at. What's the music got to do with the sense?" The "roll-a-man-down" chorus makes no nautical blunders.

The same is true of the singing of Southern negroes; they have never, in their own habitat, sung what we know as negro melodies. Their music seems to consist principally in a few weird and mournful cadences with grotesque, generally religious, words. The picturesque songs of the Hampton students and others gave us an understanding of this, but there is an untranslatable music which I have heard from both plantation and house servants that is still different; a kind of guttural wail that was deeply touching. I remember seeing in print one that resembles those I have heard:

> "King Death he was a little king,
> And he go from do' to do';
> He kill some soul, and he wounded some,
> And he lef' some soul to pray."

Of the songs thus far discussed, the words of the first two are positively without merit; those of the next two have only such value as arises from fitness, while at the height of their popularity they had no charm of association; and the remaining songs are certainly not dependent upon language. But "God Save the King" is a notable melody, worthy of the dignity it was meant to uphold and honor. "Yankee Doodle" is an earnest and inspiring measure, fitted to time the scythe-sweep of the mowers in a grain-field, or the reapers who "descend to the harvest of death." The air of "John Brown" is fitted to the words, which are an epitome of intense feeling and purpose; while the rat-tat-too of "Tippecanoe and Tyler, too," was well suited to drum out a rival candidate. Not one of the songs quoted as successfully sung contains a line of poetry, or had the charm of association.

Two of the most notable instances of world-famous songs founded almost wholly upon the charm of association, are "Home, Sweet Home" and "Auld Lang Syne." The air of

"Home, Sweet Home" is pretty, it is true, but slight and meaningless. The way in which pa-al-a-ces has to be jolted into the first line, is only one instance of many, while the repetition of "ho-o-me, sweet, sweet home," would be jarring indeed, if home were not so sweet as to make us forget it. Let the modern New Yorker try to sing a version like the following:

> "F-lat, fl-a-t, sweet, sweet flat,
> Be it only f-o-u-r s-t-o-ries, there's no place like that,"

and see what he thinks of the melody. The words, I fancy, would not for a moment be defended as poetry; but let the girl afflicted with nostalgia hum the song to herself, or the man who has been forced to be a wanderer from boyhood hear its strains in a foreign land, and Shakspere's words to Mozart's music could sound no more enchanting. It was the sentiment that caused a sale of one hundred thousand copies in a single year. The story of Payne and of the song are so fresh in the minds of all, that no weight would be added to the argument by rehearsing them. Of "Auld Lang Syne," Burns himself says: "The air is but mediocre; but the old song of the olden time, which has never been in print, nor even in manuscript, until I took it down from an old man's singing, is enough to recommend any air." We all sing about "right gude willy-waughts" and "pint-stoups," just as if we knew what they meant. We do not care what they mean, nor whether the melody is more than mediocre. We know that they express the pathos of this life of ours—of the loves of youth, and the more sacred friendships of older days, the memories of our playtimes and our partings, our trysting and our troth. Byron puts the thought in better words:

> "As Auld Lang Syne brings Scotland, one and all,
> Scotch plaids, Scotch snoods, the blue hills and clear streams,
> The Dee, the Don, Balgounie's brig's black wall,
> All my boy feelings, all my gentler dreams
> Of what I *then dreamt*, clothed in their own pall,
> Like Banquo's offspring;—floating past me seems
> My childhood in this childishness of mine;—
> I care not—'tis a glimpse of 'Auld Lang Syne.'"

There is a thrice familiar and yet half-forgotten song which illustrates in an odd way the power of association against that of language, if not of melody. It is "When Shall We Three

Meet Again?" It is known that Samuel Webbe, a celebrated composer, born in London in 1740, wrote the music; but the words have been claimed for our country through two college traditions. One attributes them to a member of the first company of young men who devoted themselves to foreign missions, and so links them with the famous hay-stack of Williams College. Another speaks of them confidently as the work of an Indian, an early graduate of Dartmouth. In proof of the latter theory the following stanza is quoted:

"When around this youthful pine
Moss shall creep and ivy twine;
When these burnished locks are gray,
Thinned by many a toil-spent day,
May this long-loved bower remain,
Here may we three meet again."

The apparent allusion to the old pine at Dartmouth, and the word "burnished," so descriptive of an Indian's hair, constitute an argument. An old resident of New Hampshire told me that his sister and he learned the song from hearing it sung in his mother's house by an Indian graduate of the class of 1840. In an old English collection the lyric appears without the quoted stanza. It is there attributed to "a lady." I judge it to be English, perhaps written by the wife of a missionary. It was so appropriately sung by the first foreign missionaries in this country that it might easily be attributed to one of them. That was about 1810, when Dartmouth College was still known as Moor's Indian School. An Indian graduate, I conjecture, wrote for the graduating exercises, perhaps the tree-planting of his class, the stanza given above, which, although good for an Indian, is as much out of place in the lyric as a bit of wampum would be in a pearl necklace. I like to recall the beautiful original verses without the poor stanza:

"When shall we three meet again?
When shall we three meet again?
Oft shall glowing hope expire,
Oft shall wearied love retire,
Oft shall death and sorrow reign,
Ere we three shall meet again.

"Though in distant lands we sigh,
Parched beneath the burning sky;
Though the deep between us rolls,
Friendship shall unite our souls;
Still in fancy's rich domain
Oft shall we three meet again.

"When the dreams of life are fled,
When its wasted lamp is dead;
When in cold oblivion's shade
Beauty, wealth, and power are laid,
Where immortal spirits reign,
There shall we three meet again."

If words could keep a song upon the lip, would not this one be often heard? If association were not as powerful as melody, would not the Indian stanza have been rejected?

The next topic should be the immortal songs which have lived solely on account of the beauty of their words. It will be as short as the famous chapter on Norway snakes. "There are no snakes in Norway," and there are no such songs. There ought to be, but there are not. It is true that Tennyson's "Break, Break, Break" and "Too Late," and Kingsley's "Mary, go and Call the Cattle Home" and "Three Fishers," as well as many other beautiful poems, are sung; but in each case the air is worthy of the words. Where are those in which our mothers delighted, Monckton Milnes's "I Wandered by the Brookside," Spencer's "Too Late I Stayed," Scott's "The Heath this Night," Wolfe's "Go, Forget Me"? Why should "Comin' Thro' the Rye" and "Within a Mile of Edinboro' Town" be sung, while Burns's "Ae Fond Kiss," and Alexander Wilson's "Connel and Flora," are never heard? Alas! there is a wide sense in which song and poetry, often used as synonymous terms, are entirely distinct.

But if it is true that we can point to few songs in which poetical expression, independent of melody or association, has been the secret of power, it is also true that beauty and depth of language and of thought are necessary to the highest effect even of a popular song. The verses which Tom Moore wrote for "Irish Melodies," and those which Robert Burns wrote for "Scottish Airs," prove this. Moore's "Oft in the Stilly Night" has been parodied so often that absurd images rise to memory almost unconsciously; but the lyric has triumphed over them, and remains

a perfect song, perfect in its melody, perfect in its association, perfect as poetry. Burns's "Scots wha hae wi' Wallace Bled," I should instance as another perfect song. Burns showed it to the singer Albani, who said: "Now write soft words for that air." Burns never did so; but another Scottish song-writer was inspired to do it, and so produced another perfect song, for "The Land o' the Leal," by Lady Nairne, is set to the same melody, with a slight change in the opening bar. Mrs. Hemans and her musical sister, Samuel Lover, Haynes Bayly, and Barry Cornwall, all produced perfect songs. In our own country Stephen C. Foster wrote most of what may be called perfect popular songs. None of his earlier ones are without the three requisites in some degree, and "Old Folks at Home" or "Swanee Ribber" possesses them fully, as a white folks' negro song. A perfect sea song, to be sung by passengers and not by sailors, is "Rocked in the Cradle of the Deep," by Mrs. Emma Willard, to music by Joseph P. Knight. It was written during a voyage from Europe. Of George P. Morris's well-known songs, perhaps that which comes nearest to being perfect is a little one set by an unknown composer, "When other Friends are Round Thee." "Kathleen Mavourneen," words by an Irish lady named Crawford and music by Crouch, is also entitled to the name. Longfellow was not preëminently a writer of singable verse, but his "Stars of the Summer Night," set to music by the late Alfred H. Pease, forms one of the most perfect songs in our language. "All Quiet Along the Potomac To-night," written by Ethel Lynn Beers, and "Rock Me to Sleep, Mother," by Elizabeth Akers Allen, are also perfect. The two last-mentioned songs have been more than usually unfortunate in that they have proved especially attractive to literary kleptomaniacs. The stern moral code,

> "It is a sin to steal a pin,
> Then how much more a larger thing,"

was not meant to cover so trifling and truant a thing as a song. Of those whose histories have come into this paper, three are of unknown, and six are of disputed, origin. Who can wonder that great songs are few, when the authors are obliged to say, as Mrs. Beers said to me: "'The Poor Picket' has had so many authentic claimants and willing sponsors, that I sometimes question myself whether I did write it that

cool September morning, after reading the stereotyped 'all quiet,' etc., to which was added, in fine type, 'a picket shot,'"—and as Mrs. Allen said: "I wrote 'Rock Me to Sleep, Mother,' but I wish from the depths of my heart that I had not. I cannot describe the pain and humiliation the dispute over it has cost me." This form of conscious or unconscious thievery is a "filching of good name," as well as of the product of the brain. It casts, in many cases, a never-to-be-cleared-away doubt upon the word as well as the work of an author; it disheartens from effort, and causes morbid sensitiveness that time and fame cannot cure. Perfect songs will be rare visitors until they are sure of honored recognition.

In thus trying to define the why and wherefore of a song, we cannot fail to see that after all its effect lies among the mysteries of the mind. When Augustus Hare described song as "the tone of feeling," perhaps its subtlest meaning was revealed. It is judged of by the heart more than by the head, therefore it must be first melodious, then responsive, then poetic.

HELEN KENDRICK JOHNSON.

WORKINGMEN'S GRIEVANCES.

MR. MOODY.

THE concurrent wisdom and experience of many generations of men find expression in the proverb that "idleness is the mother of mischief." Had the sole object of our existence as a people been to furnish the strongest possible demonstration of the truth of the proverb, we could not have done it more effectually. How great has been our success may be seen by what has been accomplished here within the present century, mainly within the last half, during which period the people have been exempt from the social evils of the Old World.

The main effort of our industrial life has been to devise means to "save labor," *i. e.*, to get rid of the labor of man, not to lighten it; and to-day "labor-saving machinery" has increased man's power of production, in many directions, more than a hundred-fold—in the aggregate at least twenty-fold, but for our present purpose we will say ten. What has been the effect? Has the employment of machinery correspondingly benefited the great mass of society; has the condition of the laboring men and women of the country — the producers of all the wealth that exists — been made ten times better; or has it been the means of plundering and oppressing them until they have reached a depth of misery that should make the sun blush to look upon it? What are the facts? Let us look them squarely in the face.

We find that our vast public domain has largely gone into the hands of corporations of monopolists and speculators, by whom it is conveyed to other speculators and capitalists, foreign and domestic, in such quantities as may be desired; that though the *bona-fide* occupant or homestead farmer can obtain from the Government only three hundred and twenty acres, speculating capitalists may obtain millions of acres of the same lands from railroad corporations, upon which to plant their colonies of alien or other tenants, and establish

their huge "bonanza farms," or food factories. Though the census of 1880 gives the increase in the number of farms in our country at 1,348,922 for the last decade, an analysis of the report shows that of this number 1,024,701 were tenant farms, and 84,957 were bonanza farms, ranging from 500 to 500,000 or more acres each. The increase of independent homestead holdings during the same period was only 219,264, against the 1,109,658 bonanza and tenant farms. Here is an increase of more than five farm holdings owned by capitalists and speculators, as against one owned by practical farmers, who make their farms the homes of their households. But the bonanza farms are in no sense homes for any one. They are barred to population, and are worked solely by animal forces and machinery; and it is only by the power of machinery that they have been made possible. Other vast areas are occupied by great cattle ranges, also without homes or fixed population.

Thus, whilst we have hundreds of millions of acres of land, improved and unimproved, capable of furnishing reliable and constant employment, with homes and plenty for millions, under our old system of homestead farming, now, under our present system of capitalistic machine farming, the people who should be there, living in abundance and comfort, giving strength to the nation and vitality to business of every nature, are driven to towns and cities where, at best, they obtain only the most uncertain and inconstant employment, and where multitudes are found living in enforced idleness, and swarming in wretched tenements. Fully three-fourths of the population of the city of New York are living in from one to three small rooms to a family. There are blocks upon blocks in that city where the people are packed at the rate of 486,000 souls to the square mile. Whilst the extreme density of population in New York rises to 760 per acre, in London it stops at 222. At the close of 1883 the Board of Health of the City of New York reported the existence of 25,946 distinctive tenement houses, occupied by 907,000 souls, as estimated. What a contrast is here presented! Capital and Monopoly holding thousands upon thousands of square miles of territory, from which the people are excluded and driven to tenements in cities, where they are packed at the rate of 500,000 upon a single square mile.

An examination that I made of the records of the Board of Health of that city, for 1882, showed a mortality of 37,924 in a

population of 1,206,577, being at the rate of thirty-one in every thousand. The death-rate in the various wards ranged from fifty-seven per thousand in the Third Ward, to seventeen per thousand in the Fifteenth. In the Twenty-first Ward the rate was forty, in the Twelfth it was forty-one, and in the Nineteenth Ward forty-two, per thousand. The Third, Twelfth, Nineteenth, and Twenty-first Wards have the highest population density; but in the Fifteenth Ward, where there is a less amount of crowding than in any other, though it is by no means wholly exempt, the death-rate falls to a lower point than in any other entire ward.

But in that portion of the city extending from the Fifteenth Ward northward, to and about Central Park, between the Third and Seventh Avenues, which is altogether occupied by the residences of the rich, where tenement houses and want are unknown, and the most ample space, air, and comfort are provided for all, the rate of mortality must fall below twelve per thousand. Therefore it is fair to assume that in New York twelve per thousand is the death-rate of comfort, whilst all above that rate, or nineteen per thousand, is the mortality of destitution. This gives 22,925 as the number of those who are yearly destroyed by want in one city. The 23,000 thus annually sacrificed to Moloch are as clearly the victims of the war that wealth wages against society, as are the slain found upon the field of battle victims of a conflict of arms. The horrors here pointed out are not confined to the city of New York, but exist, more or less modified, in every city and town in our country.

The results of the employment of machinery in agriculture are repeated in every industry that requires force. All the old methods of production have been supplanted; domestic and individual industries can no longer be sustained. In every handicraft has machinery taken the place of muscle; and concentrated capital is still pressing forward to occupy those portions of this country, and of the globe, that it has not yet possessed. Under the stimulus of competition, mills, factories, furnaces, forges, and shops have been multiplied and increased in capacity far beyond the economic ability of the people to consume the product; and to-day we find fully one-half of our great work-shops either idle or running on short time, and the markets glutted with products for which there is no real demand. During the past year there were reported nearly

10,000 commercial failures in the United States. During the last ten years the number of failures has been upward of 75,000. Of the industrial failures no record is kept; but their number must fully equal those in trade. The effect of all these operations upon the labor and employments of man has been most disastrous.

Before the war of the rebellion, in consequence of the industrial revolution that had then only begun, multitudes of laborers had been thrown into idleness in all parts of the Northern States, and everywhere were heard their cries of distress and demands for work. When the war opened, the Government filled its armies with nearly two millions of men, and furnished all the required material and subsistence of war without in the least diminishing the normal industries, but, on the contrary, largely stimulating and developing them. During the war our mechanical powers were largely increased, and industrial prosperity everywhere abounded. There were no idlers. But at its close three millions of workers, with their vast increase of productive power, were thrown back upon the normal industries of the nation, without occupation and with no demand for their services. This was the beginning of the idleness and competition that now exist among the workingmen of the country; and since that time the idlers have been more than doubled, as has also the power of machinery.

To-day, throughout our whole country,—on the plains and in the mountains; in the densest populations and on the most advanced frontiers; in town, country, and mining-camp, are found armies of homeless wanderers, that can be numbered only by hundreds of thousands, if not by millions, vainly seeking work, begging or stealing their subsistence wherever they can find it, and rapidly sinking to the condition of the most callous vagabondage and crime. And among those who are now doing the work of the country, assured and constant employment is the exception, whilst uncertain and inconstant work is the rule.

Under the fierce competition for employment that everywhere exists, wages and salaries are declining, whilst the number of the unemployed becomes greater. Want and misery crowd upon all sides. We have innumerable institutions and associations throughout the country, organized for the sole purpose of furnishing employment to the poor and the idle, and almost fabulous amounts are by them expended in their work. But in spite

of all such efforts the distress increases. Nightly, the police stations in our cities are filled to overflowing with the destitute. Thus, after fifty years of strenuous effort to substitute machinery for muscle,—to make of man an idler that a comparatively non-consuming power may do his labor,—we have reached the terrible condition of things here described. All these great mechanical changes and social movements have been absolutely coincident, and certainly stand to each other in the relation of cause and effect.

These are some of the elements of the labor problem; but they involve all the great problems of life, and challenge the most earnest attention of economists. Yet by them they are almost wholly ignored, and the workingman who ventures to discuss these matters is derisively called "a labor reformer." Our learned economists who are still teaching the fallacies of the feudal ages, in face of the facts here presented, insist that the condition of the workingmen of our country has been greatly improved; that it is better than ever before, and still improving. Some deny that labor-saving machinery has any tendency to "reduce the amount of labor expended," but insist that "the very reverse is the case." To such the only answer that can be made is to point to the facts. But facts they do not want. Speculations and abstractions are their capital; they desire no other.

Others declare that when the workingman is driven by machinery from the production of the necessaries of life, he has only to turn his attention to the production of luxuries for the rich to find employment to the end of time. Can there be anything more absurd than the supposition that the production of luxuries for a few hundred or thousand plutocrats could furnish employment for our idle millions? Pray, upon what meat do our Cæsars feed that it should require such hosts to hunt it? And the matchless sophistry of the idea! Such suggestions betray how difficult it is for the popular economist to grasp the situation. Machinery is as important a factor in the production of silks, laces, and velvets, of carriages and carpets, in the making of watches and pianos, and in the working of gold and silver and polishing of gems, as in the growing of wheat or making of shoes; and there is here the same tendency to overproduction and glut of markets and idleness as is found in the production of food and clothing. Of all this our sophists can get the

evidence by visiting the places where articles of luxury are manufactured.

So in England, machinery is doing in manufactures the work that it has done here. But, though it has as yet been but little used in agriculture there, the small farmers of England are also being supplanted by machinery, and the rural populations driven to the cities. But when the policy of evictions and consolidation of estates to be worked by machinery has become general, the English will have a better understanding of the social effects of "labor-saving machinery" than they have at present. That nation has been unwontedly startled by some facts recently developed concerning these matters, and particularly in the metropolis, where the story of "Outcast London" has stirred up the whole people, Parliament included. Yet the crowding and consequent misery in that city is less than one-third as great as in New York, as already shown. But there, as in this country, the economists are prepared to show that the condition of that people has vastly improved in all particulars, and is still improving. Mr. Giffen is one of the latest champions of that view. But unfortunately for him, his statistics are largely discredited by Englishmen at home, and absolutely disproved by Mr. Porter.

Manifestly, it is only by the monstrous perversion of what should be man's greatest blessing that all these evils have come upon us. As man's power to supply his material wants has been increased, his condition should have been improved; he should possess in a larger measure the comforts of life with less labor. And especially is this apparent when it is considered that however great may be the increase in the power of production, there can be no increase in the power of consumption. Nor is it in the power of man to invent a new want. All that man can do is to fill the margin between destitution and abundance—between want and comfort—a margin sufficiently wide for human exertion. And not until all who are dependent upon labor for subsistence and comfort are brought into assured employment can there be reasonable hope of improvement. Cheapness, in the commercial sense, is not a social necessity. In that sense cheapness and poverty are inseparable, and behind every cheap product may be seen stalking the skeleton of want.

By the disregard of these self-evident principles the masses have been crushed, and a class small in number, but possessed of enormous wealth and unscrupulous in action, has been created,

who have seized and who hold all the natural resources of the country. Not only do they hold for speculation and plunder our national domain, swallowing up and destroying the small proprietors and covering the land with tenant and bonanza farms, but they destroy our forests, drain our oil-lands, and monopolize the coal of our mines. They control all the highways and means of travel and transportation throughout the country. They also hold in their hands and control all the avenues and means of communication, whether of business or pleasure, with the single exception of the post-office; and even the mails cannot be made useful to either people or Government except by favor of our plutocratic highwaymen. They have seized and they control all the machinery, material, and products of every industry. No man can travel, or work, or eat, or sleep, without paying tribute to the all-pervading tyranny of capital. For the first time in man's existence has the condition been reached when individual industries could not be sustained because of the combinations of capital and monopoly that are everywhere encountered.

Nearly one thousand years ago the Norman adventurer, William the Conqueror, invaded England, became its master, and divided the lands among the cut-throats who followed his fortunes. Five hundred years later, England's Eighth Henry despoiled the Church of her lands, and conferred them, with patents of nobility, upon the minions who ministered to his passions. But in neither case was there a general plundering of the people's industries by those royal robbers. And nowhere within the present area of civilization, during the last thousand years, has the track of an army of invasion or the progress of conquest been marked by such complete and systematic spoliation of the masses of a people, and monopolization of all the resources of life, as has signalized the pillage of the people of the United States by capitalists, land robbers, monopolists, and plunderers of every name and nature.

In comparison with this plutocratic class, our petty thieves, robbers, and murderers are harmless. The latter class spends its force in stealing a loaf of bread, robbing an occasional traveler, or cutting an individual throat. But the plutocratic class systematically steals the subsistence alike of strong men and weak women and children. They rob and starve communities; they kill and destroy nations.

The statutes of every State in the Union, as well as of the General Government, are burdened with provisions for the building up and protection of property, of capital, of monopoly, of speculation, and of trade. But in the ponderous tomes containing the laws supposed to have been enacted for the protection of society and its chief interests, there is not one guaranteeing to man the first and greatest of all inalienable rights, the right of the laborer to all the fruits of his toil, and protecting that right from the encroachments and robberies of tyrannous capital. To-day, labor has no rights that capital is bound to respect.

Hence it is that the workingmen of our country, living in the midst of these conditions, and feeling the hands of the oppressors heavy upon them, day by day seeing the rich grow richer, whilst their own condition as steadily and surely goes from bad to worse, recognize the conflict that exists, and naturally seek for some kind of mutual protection. If they pursue unwise methods, and ofttimes do themselves serious injury, it certainly is not because of any dereliction of duty on the part of our learned economists, who weary the world by their constant babble of the law of supply and demand, the relations of capital and labor, the Malthusian doctrine, etc., that has richly earned for them the distinguished honor of being teachers of "the Dismal Science." They never approach the changed and changing conditions of real life until they are aroused by some strike, or other manifestation of distress and unrest, when they rush out and scour the world to find other laborers whose conditions are worse than are those of our own work-people. Having found them, they invite our workmen to consider how much better is their state, and how exceeding thankful and contented they should be. From them come no practical suggestions or inquiries calculated to help the solution of the great problem before us, but rather a constant effort to prevent discussion and the disclosure of facts.

In the last Census Act, Congress directed that the condition of labor should be inquired into, and provided the machinery and ample means for its thorough and satisfactory examination. A noted economist was put in charge. The census was taken. Capital and wealth were magnificently, though it may be fallaciously, shown up. But labor had not a word. And so of the multitudes of homeless wanderers, without work or fixed habita-

tion, who fill the country, but are not even enumerated as a portion of our population. Thus, for another ten years, the Government and people must wait for official data of the most important matters in life.

Most certainly our plutocratic teachers of political economy are not the princes in whom the people can put their trust. Must we wait for another social earthquake to awaken our people?

WILLIAM GODWIN MOODY.

PROF. LAUGHLIN.

ACCEPTANCE of the proposition that, as the rich grow richer the poor necessarily grow poorer, is often made the test of true friendship for the laborer. But the opposite belief is also consistent with the warmest interest in the workingman's condition. The question is a large one, and we here attempt to discuss only one — but a prominent and distinctive one — of the grievances alleged by the labor reformers,* namely, the effects of labor-saving machinery. The existing stagnation in the iron and woolen industries, in which machinery is largely used, is at once seized upon to prove that, while competition on the part of the laborer for employment is steadily increasing, the introduction of new appliances which dispense with human hands is as steadily lessening the demand for labor, and consequently lowering wages; and that the outlook is the more gloomy because this tendency is general in all industries. As touching the future of the workingman, this question deserves respectful and judicial consideration.

Passing by the actual facts as to the growth of large estates in the West and the abuses in our public land system, in regard to which the poorer classes certainly have ground of complaint, the use of labor-saving machinery in agriculture, as distinct from other industries, demands separate treatment. The acquisition of means by which the cost of producing what every laborer consumes is lessened, would, on the face of it, seem peculiarly desirable. Indeed, it cannot be otherwise. It is an economic law, based on physical facts, that after a certain density of population is reached the cost of grain tends to rise; so that every advance in the arts and sciences by which more can be

* "Land and Labor," William Godwin Moody. 1883.

grown for the same labor, or the same with less labor, is to be eagerly welcomed. To this it will be objected, however, that the direct means of getting a living is through the receipt of wages; that the process above described throws men out of employment in agriculture; and that they have no occupation to which they may turn where the same cause is not operating. And, although cheapened food is admitted to be beneficial, it is claimed that what holds true of food does not obtain in manufactures of goods not used by the workman; and that, if labor is dispensed with in making spokes for Jay Gould's carriage, the diminished cost of the millionaire's equipage is of no good to the hungry men. It will be better, then, to pass on to the effect of labor-saving devices in the production, not of food alone, but of all goods whose quantity can be increased indefinitely by use of sufficient labor and capital.

The idea that the more labor is released from producing the primal necessities the more can be devoted to the production of articles of comfort and luxury, and that all can be employed, is a difficult one to grasp, and needs elucidation. When men in one locality or industry find a re-adjustment taking place, they command our deep sympathy and kindly assistance; but when they thereupon assert that all things have gone wrong everywhere else, they act as did Henny Penny when the pea fell on her head and she thought the sky was falling. Especially is it foolish when the falling pea typifies cheapened cost of food. Henny Penny was so occupied in carrying news that she forgot to eat and enjoy the pea. No apology, then, need be given for stating a few elementary principles.

No community exists, or ever has existed, all of whose wants are satisfied. Civilization itself results in a differentiation and increase of new desires, for the satisfaction of which men are willing to exert themselves and make sacrifices. The wants of men being unlimited, the production of articles desired can go on indefinitely, provided only there exists the necessary labor and capital to produce them. The increase of goods by A is in effect a demand for the commodities A desires, but which B knows how to create; likewise, B's goods are his demand for A's product. Increased production is increased demand and the means for its satisfaction. But for production there must be labor, and a sufficient accumulation of capital, either owned by the laborer or advanced by some one else, on which the laborer

may subsist during the process of production. Capital, then (*i. e.*, wealth employed in production), is as necessary a condition of all increased product as labor itself. Like the two flanges of a hinge, one is useless without the other.

Since it is only by production that men get the things they want for their own consumption, it will follow that consumption is but the visible evidence of past production. It is axiomatic, then, to say that general production is the necessary correlative of general consumption. But consumption implies something more: it is not only direct evidence in itself that goods exist to be consumed, but it also implies the existence of the conditions under which the particular articles can be made; that is, the accumulation of machinery, buildings, tools, materials, and enough to pay laborers the wages by which they supply their wants. In other words, the consumption of articles is evidence not merely of demand for them, but that other wealth exists in the form of capital capable of producing them continuously. For example, when I see the use of costly luxuries, or when I am splashed by the showy carriage of a great railway king on the street, I am obliged by logic to reason as follows: Everything which makes up the large consumption of this rich man is an evidence of the employment of labor somewhere. It is a physical impossibility for Jay Gould or Mr. Vanderbilt to consume his whole income; in fact, a very small part indeed is really destroyed by personal consumption. Whatever is consumed in food, wine, grand houses, rich carpets, pianos, carriages, and dress, is a direct evidence that there exists a capital with a necessary plant to employ the labor which can produce these things. The spattering mud from the millionaire's carriage-wheels may excite my rage and envy, but as I stand there looking for employment, it says to me that there are somewhere factories for the manufacture of carriages and harness; that capital must be in existence to employ labor there. In this sense, the production of comforts, decencies, and luxuries forms a necessary part of present industry and of the employment of all labor; since in the present state of the arts the world can create more than the simple needs of life,— food, clothing, and shelter. With a given population, we are extracting from nature the means of our existence on this globe. Every gain by new processes which yield more for a given amount of human exertion is a boon to the whole human race; production is increased, and

the whole world is the wealthier. When our fathers were young, a sailing-vessel of ten hundred tons was a seven days' wonder; but now our Maine ship-yards turn out the same kind of craft of twenty-two hundred tons. Why is it? Because the cost of building, rigging, manning, and sailing one ship of twenty-two hundred tons is less per ton than that of two ships each of eleven hundred tons. Consequently, all owners of smaller ships find themselves in competition with better carrying instruments, which by the very fact of their size are capable of taking freight at a less rate. The smaller vessels now bring in a less return on the original cost; they are like bonds on which the interest has been lowered. Our great railways across the continent are operating distinctly as labor-saving machines, by bringing from the fertile prairie lands cheaper food than could before be produced by the eastern farmer. New England farms, consequently, have been thrown out of cultivation by competition with the superior western grain-fields, but the condition of every poor man in the populous cities of the sea-board has been improved by cheaper food. Yet, in spite of this competition, all New England is richer to-day by its other industries than when it attempted to grow grain. Labor-saving machinery, then, is a part of the progress of the world in gaining commodities of every kind on easier terms. But now, it is said, even if labor-saving devices do increase wealth, there is an unjust distribution, and the workingmen get no advantage from it. This, however, starts a very different question,—the wages problem,—on which a word may be said at the end; but the issue now to be discussed is simply whether labor-saving appliances drive men out of employment or not.

An increase of the total wealth makes possible an increase of the total capital (*i. e.*, wealth used in production of other things). The larger the outside circle, the larger the circle that can be drawn within it. The expectation of profit and the desire of men to increase their fortunes, decide how much of the total wealth is to be changed into capital; the margin between these last two is the amount consumed unproductively. On general grounds, then, increased production makes possible, and almost inevitable, an increase of the total capital, and so creates an increased demand for workmen. But how this goes on in detail may not be clear, and needs illustration; and, moreover, it will be said that, even if capital is increased, since it is shared

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between materials, machinery, and wages, this does not hit the point, because as machinery constantly absorbs more, wages receive less, of capital, no matter what amount is in existence, nor how fast it grows. Take a concrete case. Suppose the labor of a community fully employed by its capital, and imagine farmer A to employ ten men. If, now, A discover a process in farming by which five men can be dispensed with, he will have the same product for a smaller expenditure of capital. In short, his labor-saving device has at the same time set free a portion of his capital. Where are the "other pursuits" in which the discharged five men can be employed? That depends on the direction taken by A's demand. A can now spend the income of this released capital on luxuries, and be as well off as before; he will, therefore, himself employ the five men in making pianos and carpets, or he will loan his capital to some one who has the managing ability to produce these goods for him. Thus as many men are employed as before, and the farmer has additional comforts by the use of labor-saving devices.

The point to be observed is that, disregarding sudden effects, labor-saving devices lessen the cost of production, and lessen the amount both of capital and labor necessary in that industry for making the supply desired. That is, under present conditions they generally throw capital as well as labor out of employment, unless an increased demand follows the cheapness, and then there is more demand for labor in the same industry. Now, if wants are absolutely unlimited, there are plenty of things to be produced by the displaced capital and labor; and if the displacement is general, it means simply that this will result in a greater increase of commodities acting on each other as reciprocal supply and demand. A brief illustration may make this clearer.

In case some change occurred affecting woolens, reducing the labor employed in supplying the present consumption of the United States, every one would get clothing cheaper, and so have more purchasing power in general out of former incomes. Each laborer would find that his expenses for clothing footed up less; then he would either increase his purchase of woolens or turn his demand to some new comfort and decency. What these shall be depends wholly on the nature of his desires; but they are evidenced through increased demand for certain things at retail stores, and through them by greater demand on the manufacturer or producer. But this increased demand would be utterly useless were there no capital ready to produce supply

for the increased wants. The very thing, however, which brought about the increased demand—the cheapened price of woolens—at the same time set at liberty capital and labor with which to satisfy it; and these result in increased production of those goods for which consumers show the more active demand. If capital exists to employ the labor, there will be channels enough for production, while human wants are unsatisfied; that is, until the crack of doom. Indeed, the increase of capital is so rapid, that for all practical purposes it is unnecessary to consider any friction arising from lack of it. Some ask the economist, triumphantly, to point out exactly what the "other pursuits" are in which the laborer can take refuge from labor-saving devices and find employment. First let these writers tell us the exact nature of the desires of the persons who have increased consuming power, and the direction of their demand will determine what the "other pursuits" are. In short, more commodities now exist in the world than could possibly have existed but for the increased production gained by labor-saving devices.

But an additional word should now be said as to agricultural products. It was stated above that increased produce from the land is gained only at an increasing cost. No matter how much improvement is made in the production of other things, the price of food tends to rise with increasing numbers. If this is inevitable, is it not at once clear that the laborer's consumption must be cheapened by labor-saving machinery wherever that is possible, in order to compensate him for the higher price of food? With food at the present price, a laborer's wages would buy him far less of other things, if these had not been cheapened by the advance of improvements in manufactures. In truth, the laborers owe their present bettered condition entirely to the causes just described.

It will be asked, at once, are the workingmen better off? To this the answer is distinctly that they are; the increased production has made possible the employment of the vast increase of population which has taken place, and even raised their scale of living. Thousands of men are engaged in industries now to one before labor-saving machinery was introduced. The following figures show the facts in the United States, as taken from the census of 1880:

	1850.	1880	*Percentage of increase.*
Number of hands employed in manufactures.....	957,059	2,732,595	185
Amount wages paid.....	$236,755,464	$947,953,795	300

It is usual for some people to sneer at economic study, and say that it is all theoretical. Such facts as the above show clearly enough the truth of the position above explained, in that wages have increased far beyond the increase of workmen. It is perfectly just to demand that principles should be corroborated by facts, and for that purpose attention is invited to the following table of daily wages in the United States. No detailed statistics for wages seem to be at hand prior to 1860 *:

	1860.		1874.
Farm labor	$0.86	....	$1.17
"	1.15	....	1.56
"	.94	....	1.26
Blacksmiths	1.92	...	2.79
Brick-layers	2.30	....	3.33
Coopers	1.82	...	2.51
Carpenters	1.92	....	2.69
Painters	1.95	....	2.66
Plasterers	2.27	....	3.14
Shoe-makers	1.76	....	2.25
Stone-cutters	2.35	....	3.26
Tailors	1.82	....	2.57

Some allowance must be made in the figures of 1874 for the lowered value of paper money; but even then the table shows a marked increase of wages.

Now, if with higher wages prices of the goods consumed had remained the same, the laborer would have been much better off; yet a brief investigation shows that the laborers have gained doubly, because prices are less now by a considerable percentage, as will be seen by the annexed table, in which figures for 1840 are given to steady the inference somewhat when comparing with 1860 †:

Articles.		1840.	1860.	1880.
Wheat flour	bbl ..	$5.29	$5.19	$4.13
Corn meal	" ..	3.22	3.57	2.80
Pork (mess)	" ..	14.30	17.98	10.14
Wheat	bu...	1.05	1.49	1.25
Corn	" ..	.57	.74	.54
Coal (anth.)	ton..	7.14	5.52	4.08
Molasses (N. O.)	gal..	.26	.46	.37
Coffee (Rio)	lb..	.10	.13	.12

* Young, "Labor in Europe and America," p. 739 *et seq.*

† "Report of the Director of the Mint, 1881," pp. 50–60, and "Finance Report, 1863," p. 376.

Articles.		1840.	1860.	1880.
Sugar (Cuba)	lb...	$0.05	$0.08	$0.07
" (loaf)	" ..	.12	.09	.08
Tea (Y. H.)	" ..	.67	.25	.23
Tobacco	" ..	.08	.08	.07

This shows an unmistakable gain for the receivers of wages in the lowered price of commodities as compared with twenty years ago; and the three tables above certainly warrant the statement made, that the laborers in the United States are decidedly better off than they were some decades ago. It is a cheering sign, and every philanthropic man will read the account with pleasure. Some much more striking data are afforded by the accounts of a cotton-mill in New England, kept on the same system since 1828, and fortunately open to my inspection by the kindness of Mr. Edward Atkinson. They give the earliest reliable statistics yet published in regard to wages in the United States.

The average wages of all the operatives (comprising men, women, and fewer children than now) working thirteen hours a day were, in 1828, $2.62 per week; the average wages of all female operatives to-day, working on similar fabrics ten hours a day, under vastly better sanitary conditions, both in factory and dwellings, are $5.01 per week. The contrast would be still more favorable if men and boys were added, as in the statement for 1828. This has been accompanied by a decrease in the price of cloth, and with the exception of lumber and meat, no increase in the price of food. Moreover, the present operatives are less intelligent than those of 1828, the same class employed then being now engaged in higher occupations, at wages of $8.00 or $10.00 per week.

We happen to possess, moreover, the means of confirming this position, by figures of a similar import in regard to England* in a recent address of Mr. Giffen, the well-known statistician of the British Board of Trade. He presents a statement to show, not merely an increase of wages, but an actual increase of consumption of common articles by each person in the United Kingdom. The diffusion of increased purchasing

* After this paper was almost entirely written, and the conclusions drawn, the writer's attention was drawn to the report of Mr. Giffen's Inaugural Address as President of the London Statistical Society in the "London Times," November 20, 1883, which outlined some positions here established. Mr. Giffen's table is taken from the "Times" report.

power among the working classes shown by this table is very striking, when it is remembered that machinery is more extensively used in England than in any other country:

Articles.		1840.	1881.
Bacon and hams	lbs.	0.01	13.93
Butter	"	1.05	6.36
Cheese	"	0.92	5.77
Currants and raisins	"	1.45	4.34
Eggs	No.	3.63	21.65
Potatoes	lbs.	0.01	12.85
Rice	"	0.90	16.32
Cocoa	"	0.08	0.31
Coffee	"	1.08	0.89
Corn, wheat, and wheat flour	"	42.47	216.92
Raw sugar	"	15.20	58.92
Refined sugar	"	*nil.*	8.44
Tea	"	1.22	4.58
Tobacco	"	0.86	1.41
Wine	gals.	0.25	0.45
Spirits	"	0.97	1.08
Malt	"	1.59	1.91

The great increase in the general consumption of bacon, cheese, eggs, potatoes, rice, corn, wheat, sugar, and tea is a very marked feature, and shows very distinctly which classes have received the gain; while the relatively small increase in wine, spirits, and malt is a cheerful indication of better things. Mr. Giffen states that money wages have advanced from 30 to 100 per cent., while the hours of work have been diminished 20 per cent. The above increased consumption per head, therefore, is the more striking when we recall that the population of Great Britain has mounted from sixteen and one-half millions in 1831 to nearly thirty millions in 1881. The fact is also stated that in the last fifty years prices have not risen. Moreover, the expenditure of the Government for sanitary, educational, and public purposes had in this period actually added to the laborer's condition a gain of a nature which prolonged life and educated his children. The poorer classes, too, were able to save more: in 1831 there were 429,000 depositors in the savings banks, with an amount of £32 per head; in 1881, 4,140,000 with £19 per head, showing a most satisfactory increase in the number of small depositors.

These facts certainly show, with regard to England and the United States, that labor-saving appliances and increased pro-

duction have employed more labor and given the greater number better wages. All this, however, is not inconsistent with the undoubted existence of wretchedness and misery among the working classes. But it cannot be said that machinery is the cause of the distress, since it has, in fact, been a means of amelioration. The reasons why each receiver of wages has not a greater share of the vast increase of the world's wealth lie in causes other than the one matter of labor-saving devices. No one nostrum is going to cure everything. When the economist considers the situation impartially, he finds that capital is now receiving a less percentage of the product than in former years. If this is denied, it is only necessary to refer to the falling rate of interest on safe investments of capital; the evidence is all about us, and to prove it would be like proving that winter is cold. A widow with a small fortune gets less income on her capital than in years past. In the opinion of the writer, therefore, no conflict whatever exists between wages and capital under a system of industrial freedom. Under the head of "profit," the whole of which is popularly supposed to go to capital, the lion's share goes to the manager, or *entrepreneur*, as wages of superintendence. But he who works with his brain is as much a laborer as he who works with his hands; so, setting aside the interest, paid purely for capital, the remainder of the product is divided among the various classes of laborers, from the most ignorant and unskillful workman to the most capable executive manager at the top of the scale, and the remuneration rises as one ascends in the series. The highest wages are paid for skill in management, and not simply for the possession of capital.

It is, of course, unpopular to point out mistakes of the workingmen, and it requires the courage arising from a deep interest in their welfare to do so; but they too often overlook the fact that no one can himself gain wealth except by sacrifice, exertion, and skill, and that he who exhibits these qualities, be he white, black, or yellow, has a just right to enjoy the products of his exertion to the exclusion of every one else. There are those who are, perhaps unconsciously, influenced by the communistic feeling that any one man is as good as any other, economically speaking; that one man, because he has equal civil rights with all others, has also a right to claim a portion of the world's wealth created by another. Such a doctrine cannot be admitted,

least of all by those who, with the writer, most earnestly desire to see the improvement of the wages-receiving class on a legitimate basis. Inability to create is certainly no reason for claiming what ability has created. The proper field for the philanthropist is in aiding the change from inability to ability; in helping workmen move up in the rank of laborers; in assisting them in the attainment of skill, education, forethought, trustworthiness, and saving habits. As they themselves save and become the owners of capital, they increase the length of the lever by which they may raise their position in life. Wherever the laborer is working, let him collect information about the trade in which he is engaged, let him solicit more responsibility, and just in proportion to his capacity, in the long run, will he find his wages increase, until he himself becomes a manager of the capital of others as well as his own. It is a path open to any man in the United States. Every one welcomes character and intelligence in all occupations. If trades-unions should spend their large reserves in diffusing a better industrial education among their numbers, and in promoting skill and saving, they would be at nobler business than "boycotting" newspapers.

J. Laurence Laughlin.

THE

NORTH AMERICAN REVIEW.

JUNE, 1884.

No. 331.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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1884.

NORTH AMERICAN REVIEW.

JUNE, 1884.

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NORTH AMERICAN REVIEW.

No. CCCXXXI.

JUNE, 1884.

HARBORING CONSPIRACY.

THAT the American people should naturally sympathize with Ireland in its demand for home rule is to be expected from the very nature of our institutions and theory of government. We in this country are of the opinion that Ireland, in demanding from England the right to regulate its domestic affairs in its own way and by its own laws, presents an honorable and a just cause, which appeals to our sympathy and sense of right. But it makes no difference how honorable and legitimate a cause may be in itself, if it be supported by means which are not honorable, but barbarous and inhuman. The moment that constitutional agitation for legislative independence in Ireland degenerates into such outrages as the Phœnix Park assassinations and the dynamite explosions the cause of Ireland is in danger of irreparable injury.

It is evident that an organization of Irish desperadoes exists with the intent to carry on a dynamite campaign against England. The attempts to destroy by dynamite the Victoria, Charing Cross, and Paddington Railway Stations, as well as the explosions in the offices of the Local Government Board in London, leave no room to doubt the diabolical purposes which these men have in mind. Whether men professing only the good of the Irish people can afford thus to bring infamy on the Irish name is a question which they must decide for themselves. The

question which concerns us is of another character. It is claimed that evidence exists which proves that these conspirators against the lives and property of the people of England have their base of operations in the United States. If this be so, the important question for us is whether the United States is thereby placed under any obligation to interfere in the matter.

It is not strange that when this question is presented Americans instinctively recall the attitude of the British Government toward the North in our conflict with the South. It is not unnatural for our people to remember that the English Government allowed the Alabama and other Southern cruisers to be built in England, manned in England, and to steam out of English ports, "with the applause of three-fourths of the representative men of England," as a representative Englishman has admitted. Neither can one help remarking upon the position which England took in 1858 in the matter of the Orsini bombs. As will be remembered, Orsini was an Italian refugee, opposed to Austrian rule in Italy. In January of the year named Orsini and his co-conspirators threw three bombs into the carriage of the Emperor of the French as he was driving through the streets of Paris. Ten persons were killed, and one hundred and fifty-six were wounded. It appeared that the arrangements for the plot were made in London, that the bombs were manufactured in Birmingham, and were ordered for Orsini by an Englishman. The French people were indignant that the English nation should tolerate such a gang of assassins, and make no effort to prevent such atrocious crimes. Count Walewski, the Minister of Foreign Affairs at Paris, complained in a letter to Count Persigny, the French Ambassador at London, because England sheltered the assassins. He said:

"It is no longer the hostility of misguided parties manifesting itself by all the excesses of the press and every violence of language; it is no longer even the labor of factions seeking to agitate opinion and to provoke disorder; it is assassination reduced to a doctrine, preached openly, practiced in repeated attempts, the most recent of which has struck Europe with stupefaction. Ought, then, the right of asylum to protect such a state of things? Is hospitality due to assassins? Shall English legislation serve to favor their designs and their maneuvers? And can it continue to protect persons who place themselves by flagrant acts without the pale of the common law?"

This being the state of feeling in France in respect to the matter, Lord Palmerston brought in the Conspiracy-to-Murder

bill, the object of which was to make conspiracy to murder a felony, instead of a misdemeanor, as at common law, and to render those guilty of it liable to penal servitude for any period varying from five years to a whole life. The measure was regarded as an unworthy concession to France. The bill was defeated, and the Palmerston administration thrown out of office. It is worth noticing that Mr. Gladstone himself voted against the bill. The United States have always taken an advanced and liberal position on all questions which relate to the intercourse of nations; and in the consideration of the questions raised by the plottings of dynamite conspirators it is not probable that we shall allow ourselves to be prejudiced by any narrow views growing out of the attitude of England in respect to similar matters. That London has always been the head-quarters of revolutionary plots against other states cannot be denied; but that fact affords no reason why New York should be permitted to become "a store-house for the political incendiarism" of foreign states. It does not concern us to know that the English Government has at one time and another allowed political associations to exist in London for the purpose of supplying men and money to aid the cause of Greece against Turkey, to help Don Carlos or Queen Isabella in Spain, or Garibaldi in Italy. These instances were as gross violations of international law as was the fitting out of the Alabama. The only question to determine is, What do the principles of justice and sound public policy require of the United States in the present emergency?

Where private persons who are members of one nation offend and ill-treat the citizens of another, the law of nations, subject to certain restrictions, will impute to the state itself the injury committed by its citizens. The principle of the law of nations is that whoever uses a citizen ill indirectly offends the state of which that citizen is a member, and for that reason the state is bound to protect its citizens by redressing their wrongs, punishing their aggressors, and procuring full reparations. Says Vattel:

"The nation or the sovereign ought not to suffer the citizens to do an injury to the subjects of another state, much less to offend that state itself; and this not only because no sovereign ought to permit those who are under his command to violate the principles of nature, which forbid all injuries, but also because nations ought mutually to respect each other, to abstain from all offense, from all injury, from all wrong — in a word, from every-

thing which may be of prejudice to others. If a sovereign, who might keep his subjects within the rules of justice and peace, suffers them to injure a foreign nation, either in its body or its members, he does no less injury to that nation than if he injured it himself. In short, the safety of the state, and that of human society, require this attention from every sovereign. If you let loose the reins to your subjects against foreign nations, these will behave in the same manner to you: instead of that friendly intercourse which nature has established between all men, we shall see nothing but one vast and dreadful scene of plunder between nation and nation." (Law of Nations, book 2, chap. VI., sec. 72.)

Inasmuch as all publicists agree, and have agreed from the time of Grotius, that when a member of one state has done an injury to a member of another, the former state may sometimes be responsible for such injury, to the extent even that war may be declared against it on that account, we may inquire as to what are the conditions upon which it becomes responsible. The conditions are two—those of knowledge and of sufferance. If a state knows that its members are conspiring to commit a crime against the members of another state, and can prevent it, but does not, it is held to have consented to the offense.

There can be no question but that writers on international law are agreed in the proposition that a state has a right to demand that rebellious subjects shall not be allowed to plot against it in the territory of another state. In a memorable discussion in the English House of Peers years ago Lord Lyndhurst declared, without contradiction then or since, that "the offense of endeavoring to excite revolt against a neighboring state is an offense against the law of nations. No writer on the law of nations states otherwise."

In 1799 one John Parry published an article in a London newspaper which seriously reflected upon the Emperor of Russia. The British Government at once took the matter up, the Attorney-General, Sir John Scott, afterward Lord Eldon, filing an information against Parry for libel, on the ground that he had defamed the character of a foreign prince in amity with England, "contrary to the laws and usual practice of nations." The prisoner was defended by Erskine, who was unable to prevent his conviction and punishment. The prosecution proceeded upon the theory, as Lord Chief-Justice Kenyon told the jury, that it was necessary for the Government to prosecute, on the ground that any other course "might be fatal to ourselves; as it might be reasonably concluded that if Government winked

at or slumbered over such a publication, it was disposed to adopt it. . . . It might tend to his calling for satisfaction, as for a national affront, if it passed unreprobated by our Government and in our courts of justice." (27 Howell's State Trials, p. 627.)

A similar case occurred in 1803, when the British Government prosecuted Jean Peltier for a libel published in England on Napoleon Bonaparte, then First Consul of the French Republic. He was defended by the brilliant Mackintosh in a speech which has been described as one of unparalleled eloquence, but which did not avert a verdict of guilty. The Attorney-General stated that he filed the information for the reason that the publication was one which tended to excite the subjects of France to rebel against their Government, and to excite them to the assassination and murder of their chief magistrate, as well as to disturb and interrupt that peace which existed between the two countries. The case was tried before Lord Ellenborough, who instructed the jury that a publication which had a direct tendency to interrupt and destroy the peace and amity between England and a country with which it was at peace was, in point of law, a libel. The Attorney-General, Spencer Perceval, afterward Chancellor of the Exchequer, in his address to the jury, said:

"If defamation be the sole object of the publication, and if the publication has the necessary and direct tendency of exciting that degree of jealousy and hatred in the country to which the publication is directed against the country from which it issues, and to alienate the dispositions of that country from our own, and consequently to interrupt the intercourse of peace which subsisted between them, I think it is not likely any lawyer will stand up and say such a publication is not a libel, and that the author of it ought not to be punished. But even that is not this offense; the offense here charged to have been committed by the defendant is this: that his publication is a direct incitement and exhortation to the people of the French Republic to rise up in arms against their First Consul and Chief Magistrate, to wrest the power from the hands in which, *de facto*, it is placed, and to take away the life of the man who presides over them. Is it possible we can have any difficulty in supporting the proposition that such a publication is an offense against the law of this country?" (23 Howell's State Trials, p. 529.)

Another case is that of Lord George Gordon, against whom the British Government, through its law officers, caused an information to be filed in 1787, charging him with a libel on the Queen of France. The information goes on to state that great

friendship, amity, peace, and concord existed between the two countries, yet the defendant, "wrongfully and unjustly, and wickedly intending to asperse, defame, traduce, and vilify her said most Christian Majesty, and to cause it to believed that her said most Christian Majesty had been guilty of great injustice, oppression, cruelty and persecution toward the subjects of his most Christian Majesty, and thereby to alienate their affections from his said most Christian Majesty's Government; and to create, stir up, and excite animosities, hatred, jealousy, and discord between our said lord the King and his subjects, and his said most Christian Majesty and his subjects," had published the matter complained of. The information in this case, as in the others, was filed under the common law, and the prisoner in this case, as in the preceding, was convicted and punished. (22 Howell's State Trials, p. 175.)

As recently as in May, 1881, a German by the name of Most was tried and convicted in England for publishing an article in a newspaper, which was found by the jury to be intended to incite those reading it to assassinate sovereigns, as the Emperor Alexander II. of Russia was assassinated, and also to contain libels upon foreign princes. In the year following Schwelm and Merteus were convicted of similar offenses. Again, there was the case of Dr. Simon Bernard, a French refugee, who was supposed to have plotted with Orsini in England against the life of Napoleon III., in the conspiracy of 1859, already alluded to. He was arrested in England, charged with the common-law offense of having conspired in England to commit murder in France. He was acquitted only because the jury found the evidence insufficient to warrant his conviction. There was also the case of Dr. Blackburn, who was arrested in Canada during our war with the South, charged with the like common-law offense of having conspired in Canada to commit murder by sending infected clothing into the United States. He was discharged because of lack of evidence, and not because any one doubted that his offense was a crime at common law, and such as the British Government felt bound to punish.

From these cases it appears that the British Government has punished its own citizens for the attempt to incite the citizens of a foreign nation to revolt against their Government and laws, and that in so doing it justified its action upon the theory that international law required it not to allow such offenses to go un-

punished. It also appears that where a conspiracy has been entered into within British dominions, to commit murder within a foreign state, it has been regarded as an offense against the British nation, and treated as such by its courts. It further appears that such offenses were punishable upon the principles of the common law.

Moreover our own diplomatic correspondence will show that we have ourselves complained to the British Government of offenses very similar to those which the dynamiters are now charged with conspiring to commit, and that the justice of our complaint was at once recognized and provided for. Our Government claimed during the war with the South that refugees and deserters from the rebel Confederacy were engaged in Canada in the manufacture of "Greek fire," which was to be used for the destruction of Buffalo, Cleveland, and Detroit. The matter was brought to the attention of Mr. Seward in an official communication from General Townsend, and our diplomatic correspondence shows that on December 13, 1864, Mr. Seward transmitted to Mr. Adams, then Minister at the court of St. James, General Townsend's communication in relation "to the alleged manufacture of 'Greek fire' at Windsor, Canada, to be used by rebel emissaries in attempts to burn certain cities in the United States," with the request that he "lay a copy of the paper before Earl Russell, with a view to the adoption of such preventive measures as may be practicable." Earl Russell thereupon assured Mr. Adams "that her Majesty's Government would adopt such measures as may be required and may be effective for the maintenance of her Majesty's declared neutrality." The British authorities at once directed the attention of Viscount Monck, the Governor-General of Canada, to the matter, who replied as follows:

"I have the honor to state that I will take immediate measures to have the truth of this allegation investigated, and should it prove well founded, I will adopt such measures as may be within my power to defeat the objects of those engaged in the manufacture."

The Canadian authorities at once adopted measures to prevent the manufacture of Greek fire, and on December 28, 1864, Mr. Seward, in a communication to Mr. Burnley, assures him that the spirit which had been manifested by the British authorities in the matter "is cordially appreciated by this Government."

It will be remembered that in 1865 great excitement was created throughout the North by the rumor that a plot was on

foot to introduce yellow fever into the cities of the Union by means of infected clothing, to be sent in trunks from Bermuda to New York city. Our Government at once called upon the British authorities to interfere. On June 2, 1865, Mr. Hunter, the acting Secretary of State, in a letter to Sir F. Bruce, calls attention to the matter, and says:

"The proceedings already adopted in Bermuda for the punishment of some of the parties implicated in this diabolical scheme, and the requirements of common humanity so fully recognized by all British communities, render it hardly necessary for me to point out to you the expediency of your communicating with the authorities of Bermuda on the subject, with a view to their adoption of such measures as will subject all the guilty parties to the severest punishment which can be lawfully applied to them."

On the very next day Sir F. Bruce replied to Mr. Hunter as follows:

"I will lose no time in bringing your communication to the knowledge of the authorities of Bermuda, and you may rest assured that they will not fail to adopt every legal means in their power for the arrest and punishment of the persons implicated in this most atrocious scheme."

The British authorities went actively to work in the matter, and Dr. Blackburn was arrested in Montreal and brought to Toronto, charged with having conspired with others to send infected clothing into the United States. Toronto was the place where the conspiracy was alleged to have been entered into, and there, on May 25, 1865, the case came before the police magistrate for examination. As the evidence available was not sufficient to enable the Crown to prosecute Blackburn with any chance of success, and as there was no prospect of obtaining any further evidence, he was admitted to bail on his own recogizance to appear whenever called upon.

It appears, therefore, that our Government complained to the Government of Great Britain that certain parties, subject to their jurisdiction, because within their dominions, were conspiring for the destruction of life and property within the United States by manufacturing "Greek fire" to be used in burning Northern cities, as well as by sending infected clothing into the city of New York; and if we were justified in making the complaint we did, it seems to be difficult to discover any reason why Great Britain is not equally justified in directing our attention to any conspiracy existing in this country for the destruction of

life and property in the British Dominions by the use of dynamite. Inasmuch as the British Government, when its attention was called to the matter, at once took active measures to repress the evils complained of, eliciting from our State Department the highest commendation therefor, there would seem to be reasonable ground for complaint upon the part of that Government for any failure on the part of this Government to respond in a similar manner — *mutatis mutandis.*

We submit that it is impossible to create a distinction advantageous to ourselves based on the fact that we were, at the time of our complaints, engaged in a life-and-death struggle for national existence. We fail to perceive how that fact materially strengthened our position in the matter. Suppose we had been at peace with all the world, would that fact have afforded a justification to persons outside our dominions to engage in a conspiracy against the lives and property of our citizens? We think not. In time of war conspirators may plead in defense of their action a public motive, but in time of peace their acts do not rise above the level of murder and assassination. Another fact not to be overlooked is that we cannot justify ourselves in the eyes of the English people by saying that the laws of the United States do not enable us to interfere. The Alabama case settled the principle that a nation cannot relieve itself from its responsibility by pleading that its laws do not permit it to interfere in the given case. For that fact no one is responsible but itself. In the case which the United States presented to the Tribunal of Arbitration at Geneva we declared that the "local law, indeed, may justly be regarded as evidence, as far as it goes, of the nation's estimate of its international duties; but it is not to be taken as the limit of those obligations in the eye of the law of nations." If our laws are not sufficient for the emergency, then laws must be enacted that will enable us to answer all just demands which may be made upon us.

Let us direct our attention to the power which the United States possess under existing laws and treaties in respect to the matter we are considering. We find, first of all, that while the machinations of the dynamite conspirators constitute an offense at common law, yet the courts of the United States have no power to inflict punishment therefor. Those courts do not exercise a common-law jurisdiction in criminal cases. The United States, as such, have no common law. The courts of the

United States can recognize as offenses only those acts which have been made criminal, and their punishment provided for by Acts of Congress. The Government of the United States, says Mr. Chief-Justice Cooley, "derives its powers from the grant of the people made by the constitution, and they are all to be found in the written law, and not elsewhere. It must, therefore, find its power to punish crimes in laws of Congress passed in pursuance of the constitution, defining the offenses and prescribing what courts shall have jurisdiction over them. No act can be a crime against the United States which is not made or recognized as such by federal constitution, law, or treaty."

Certain it is that the Constitution of the United States does not so much as refer to the offenses of which the dynamite conspirators are guilty. Our neutrality laws prohibit the following offenses:

1. Every citizen of the United States who is within its territories or jurisdiction is prohibited from accepting a foreign commission.

2. Every person, whether a citizen or not, who is within our territories or jurisdiction, is prohibited from enlisting in, or aiding others in enlisting in, a foreign service.

3. To arm or fit out vessels against a people at peace with the United States is prohibited.

4. Also to augment the force of foreign vessels of war within the territory of the United States is prohibited.

5. Every person who, within the jurisdiction or territory of the United States, begins or sets on foot, or prepares, or provides the means for, any military expedition or enterprise to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district or people with whom the United States are at peace, is liable to the punishment named in the statute.

It is manifest that the plots of the dynamiters do not fall within the provisions of the Neutrality Act.

The only provision anywhere to be found in the statutes of the United States which seems to affect in the least the dynamiters is to be found in a law which was passed to protect life and property on vessels or other vehicles used for purposes of transportation. That act provides that:

"Any person who knowingly transports or delivers, or causes to be delivered, nitro-glycerine, nitroleum or blasting-oil, or nitrated oil, or powder mixed with any such oil, or fiber saturated with any such substance or article, on board any vessel or vehicle whatever employed in conveying passengers by land or water between any place in a foreign country and any place within the United States, . . . shall be punished with a fine of not less than $1000 nor more than $10,000, one-half to the use of the informer."

While the original purpose of this act was the protection of life and property in the course of transportation, it is not confined in its operation to that purpose, but the shipment of these explosives, no matter what the purpose may be, or any complicity in their shipment, would clearly fall within the prohibition of the law. This act, therefore, partially meets the necessities of the case; and, by direction of the President, the attention of all the district attorneys and marshals of the United States has been directed to the matter by means of a circular issued from the Department of Justice on March 12, 1884. It instructs the officers named to be diligent in their efforts to prevent the offenses described in the act, and to detect and prosecute those who have committed or may commit them. It declares that the honor of the nation requires that it should not be open to the imputation, unfounded though it be, of the slightest appearance of tolerating such crimes.

The extradition treaty now in force between the United States and Great Britain provides for the delivery up to justice of all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged paper, committed within the jurisdiction of either nation, shall seek an asylum, or shall be found within the territories of the other. It does not provide for the extradition of persons who have entered into a conspiracy to murder. There are, however, not wanting precedents for the surrender of criminals charged with crimes not included within the provisions of extradition treaties. Such a precedent is to be found in the surrender by our own Government of Jose Agustin Arguelles, who was given up to Spain in the year 1864, as well as in the surrender to our Government in 1876 of William M. Tweed, who was sent back to this country by the Spanish authorities. Arguelles was a slave-dealer who sold in Cuba three hundred negroes stolen from Africa. He fled to the city of New York, where he was arrested, and, by the direction of Mr. Seward, was turned over to the Spanish authorities, although there was no extradition treaty between the two countries, and no law which authorized or required his surrender. The Senate passed a resolution of inquiry, in answer to which Mr. Seward said:

"There being no treaty of extradition between the United States and Spain, nor any act of Congress directing how fugitives from justice in Spanish dominions shall be delivered up, the extradition in the case referred to in the

resolution of the Senate is understood by this department to have been made in virtue of the law of nations and of the Constitution of the United States. Although there is a conflict of authorities concerning the expediency of exercising comity toward a foreign Government by surrendering, at its request, one of its own subjects charged with the commission of crime within its own territory, and although it may be conceded that there is no national obligation to make such a surrender upon a demand therefor unless it is acknowledged by treaty or by statute law, yet a nation is never bound to furnish asylum to dangerous criminals who are offenders against the human race. And it is believed that if, in any case, the comity could with propriety be practiced, the one which is understood to have called forth the resolution furnished a just occasion for its exercise."

Mr. Lincoln, too, in his annual message to Congress in the same year, referred to the matter in the following words:

"There can be no doubt of the power and duty of the Executive to exclude enemies of the human race from an asylum in the United States."

It must be conceded that the language of Mr. Seward, as well as of Mr. Lincoln, is strong and sweeping, and that it bears directly on the present discussion. The crimes of which the dynamiters are guilty are crimes of which no civilized people is guilty even in a state of war. The rules of warfare require invading armies to respect the lives and property of non-combatants. When General Ross, in the war of 1812, burned the public buildings belonging to the Government at Washington, the act was denounced in England as well as in the United States as an outrage inconsistent with civilized warfare; and it was pointed out that a thing had been done which even the Goths had refused to do at Rome. The dynamite criminals, who conspire to blow up railway stations, are not plotting against the British Government, nor waging war on England; they are committing crimes against unoffending men, women, and children, who may be no more responsible for the conduct of the Gladstone administration than so many foreigners. Their crime is not political, but a crime against humanity. Assuming that Mr. Lincoln did not blunder, and that the Executive can exclude enemies of the human race from an asylum in the United States, we should say it would be a praiseworthy act for our Government to hand over to the Government of England any British subject found within our territory who had been guilty of such crimes; but as matter of fact, Mr. Lincoln was probably mistaken in his opinion, and no department of our Government has any authority to deliver up criminals except in the cases for

which provision has been made by treaty. The action of the Executive in the case referred to is now generally regarded as having been an enormous usurpation of power.

But the treaty does provide for the extradition of persons who have committed murder or an assault to commit murder. In this treaty political offenses are not expressly excluded, although such offenses have been expressly excluded in nineteen out of the twenty-five treaties which this country has with foreign powers. But it is not believed that such crimes as the blowing up of railway stations and the murder of defenseless women and children can be regarded as political in their character, although they may have been accompanied with some ulterior political design. The term "political offense" is not defined in any of our treaties; but to constitute a political offense it ought to amount to treason or sedition. The extradition treaty between the United States and Belgium, signed in June, 1882, expressly excludes political offenses, and then goes on to state that "An attempt against the life of a head of a foreign government, or against that of any member of his family, when such an attempt comprises the act either of murder, or assassination, or of poisoning, shall not be considered a political offense, or an act connected with such an offense." The assassination of Mr. Gladstone or of the Queen of England could not properly be regarded as a political offense, and any person guilty of such a crime could be extradited under the treaty; and the same thing is true as to those who commit wholesale murder by the use of explosives. As we have seen, the English Government did not regard it as a political offense for one even in time of war to conspire to send infected clothing into the cities of the North, but treated it as an ordinary crime.

Justice to foreign nations as well as to our own seems to require that we should so amend our neutrality laws as to make it an offense against the Government of the United States for persons within our jurisdiction to conspire against the lives and property of the citizens of a foreign state with which we are at peace. It also seems desirable that our extradition treaties should include among extraditable offenses that of conspiracy to murder. These offenses we do not consider to be strictly political in their character. As to offenses which may properly be called political, there can be no doubt that a nation may properly harbor persons who, having committed them within a foreign state, seek an asylum in another. But we say, with

President Woolsey, that such persons having sought such an asylum "may not, consistently with the obligations of friendship between states, be allowed to plot against the person of the sovereign or against the institutions of their native country. Such acts are crimes, for the trial and punishment of which the laws of the land ought to provide." It becomes us to remember how expedient it is for the peace of the world that states should take a liberal view of their duties to each other, and should perform them with unhesitating fidelity. The dangers of the future to the nations of the earth lie in the conspiracies of dynamiters, of communists, and nihilists. Those engaged therein must be made to feel the severity of law, the majesty of which they have forgotten to respect.

HENRY WADE ROGERS.

LORDS OF INDUSTRY.

WHEN President Gowen, of the Reading Railroad, was defending that company in 1875 before a committee of the Pennsylvania legislature for having taken part in the combination of the coal companies to cure the evil of "too much coal" by putting up the price and cutting down the amount for sale, he pleaded that there were fifty trades in which the same thing was done. He had a list of them to show the committee. He said:

"Every pound of rope we buy for our vessels or for our mines is bought at a price fixed by a committee of the rope manufacturers of the United States. Every keg of nails, every paper of tacks, all our screws and wrenches and hinges, the boiler flues for our locomotives, are never bought except at the price fixed by the representatives of the mills that manufacture them. Iron beams for your houses or your bridges can be had only at the prices agreed upon by a combination of those who produce them. Fire-brick, gas-pipe, terra-cotta pipe for drainage, every keg of powder we buy to blast coal, are purchased under the same arrangement. Every pane of window glass in this house was bought at a scale of prices established exactly in the same manner. White lead, galvanized sheet iron, hose and belting and files are bought and sold at a rate determined in the same way. When my friend Mr. Lane was called upon to begin his speech the other day and wanted to delay because the stenographer had not arrived, I asked Mr. Collins, the stenographer of your committee, if he would not act. He said no, it was against the rules of the committee of stenographers. I said, 'Well, Mr. Collins, I will pay you anything you ask. I want to get off.' 'Oh,' said he, 'prices are established by our combination, and I cannot change them.' And when we come to the cost of labor, which enters more than anything else in the cost of coal, we are met by a combination there, and are often obliged to pay the price fixed by it."

Adam Smith said in 1776: "People of the same trade hardly meet together even for merriment and diversion but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices." The expansive ferment of the New Industry, coming with the new science, the new land,

and the new liberties of our era, broke up these "conspiracies," and for a century we have heard nothing of them; but the race to overrun is being succeeded by the struggle to divide, and combinations are re-appearing on all sides. This any one may see from the reports of the proceedings of the conventions and meetings of innumerable associations of manufacturers and dealers and even producers, which are being held almost constantly. They all do something to raise prices, or hold them up, and they wind up with banquets for which we pay.

Four years ago the Chicago Lumbermen's Exchange adopted a resolution declaring it to be "dishonorable" for any dealer to make lower prices than those published by it for the control of prices in one of the greatest lumber markets of the world. Monthly reports are required by this Exchange from dealers, so that accurate accounts may be kept of stock on hand in order to regulate prices. The price lists of the Exchange are revised and made "honest" at monthly banquets. In February, 1883, it was found that members who ostensibly adhered to the price lists dipped into the dishonorable practice of competition on the sly by giving buyers greater than the usual discounts. This was then forbidden, and another pathway of competition closed. The effect of this price-legislation was attested by the address of a dealer of Minneapolis at one of the price-list banquets of the Exchange, who said that his firm, which made sales as far off as Manitoba and Dakota, had never sold a foot for less than the published lists. A delegation of dealers from the Mississippi River district spoke feelingly of their labors "for harmony" and their willingness that Chicago should make prices. A secret meeting of lumbermen from all parts of the West was held in Chicago, March 8, 1883, to discuss means for advancing prices, restricting production at least thirty-five per cent., and in general, in the language of one of them, putting themselves into a position like that of the coal producers of Pennsylvania, who by combination dictated the prices of coal throughout the whole country. In May, last year, the national association of lumber dealers met in Chicago. It represents over five hundred and fifty retail dealers in the West, and its principal purpose was to prevent wholesale dealers at Chicago, St. Louis, and other centers from retailing lumber to carpenters, farmers, and scalpers in the territory of the retailers. There are too many sellers, and so any wholesaler who persists in competing in this way with local

dealers is, when found guilty, named to all the retailers and punished by losing their trade. The mills of Puget Sound, which supply a large proportion of the lumber consumed in the Pacific States, formed a combination last year to regulate the production and sustain prices. It is said by the local newspapers that the mills which do not belong to the association are hired to stand idle, as there are too many mills, and the association finds it profitable to sustain prices at the cost of thousands of dollars paid out in this way. The lumber market of the Pacific coast is ruled by the California Lumber Exchange, and that is controlled by a few powerful firms. The prices of red-wood are fixed by the Redwood Manufacturers' Association, and those of pine by the Pine Manufacturers' Association. During the past year the retail dealers of San Francisco have had to sign contracts with these associations, binding themselves to buy only from members of the associations, to buy and sell only at prices fixed by them, to give time and discount only according to rule, and to keep accounts so that every item will be clear to the inspectors hired by the associations to look after the retailers. Finally, the retailer binds himself, if he is "found guilty" of committing any of the forbidden sins, to pay a fine which may amount to one thousand dollars, to be divided among the faithful. The literature of business can show no more remarkable productions than the printed forms of these contracts. This system is in imitation of the "special contracts" with shippers which have been put in force by the Central Pacific Railroad.

Western ranch-men complain that the competition of buyers is disappearing. They declare that there exist at the Chicago stock-yards combinations of buyers who, by their ability to make large purchases and their agreement to offer but one price, get cattle at their own figures. One member of the "ring" does the buying to-day; another to-morrow, and so on. The cattle kings have combinations to defend themselves from cattle thieves, State legislatures, and other enemies, and propose to extend this category so as to include the middle-men at the stock-yards. The Stock-growers' Association of Wyoming have $100,000,000 in cattle. At the recent convention held by this body in Cheyenne, it was unanimously declared that its business had been "seriously injured by the pooling arrangements prevailing among buyers at the Chicago stock-yards," and the executive committee were instructed to obtain the fullest possible information as to

the means by which cattle might be shipped direct to the European consumer.

Last July Messrs. Vanderbilt, Sloan, and one or two others out of several hundred owners of coal lands and coal railroads, met in the pleasant shadows of Saratoga to make "a binding arrangement for the control of the coal trade." "Binding arrangement" the sensitive coal presidents say they prefer to the word "combination." The gratuitous warmth of summer suggested to these men the need the public would have of artificial heat, at artificial prices, the coming winter. It was agreed to fix prices, and to prevent the production of too much of the raw material of warmth, by suspensions of mining. In anticipation of the arrival of the cold wave from Manitoba, a cold wave was sent out all over the United States, from their parlors in New York, in an order for half-time work by the miners during the first three months of this year, and for an increase of prices. These are the means this combination uses to keep down wages — the price of men, and keep up the price of coal — the wages of capital. Prices of coal in the West are fixed by the Western Anthracite Coal Association, controlled entirely by the large railroads and mine-owners of Pennsylvania. This association regulates the price west of Buffalo and Pittsburgh and in Canada. Our annual consumption of anthracite is now between 31,000,000 and 32,000,000 tons. The West takes between 5,000,000 and 6,000,000 tons. The companies which compose the combination mine, transport, and sell their own coal. They are obliterating other mine-owners and the retailer. The Chicago and New York dealer has almost nothing to say about what he shall pay or what he shall charge, or what his profits shall be. The great companies do not let the little men make too much. Year by year the coal retailers are sinking into the status of mere agents of the combination, with as little freedom as the consumer.

There was an investigation of the coal combination by the Pennsylvania legislature in 1871, the testimony taken in which showed, as summarized in "The Nation," then the leading anti-monopoly paper in the United States, that when, after a thirty-days' strike by the men, a number of private coal-mine owners acceded to their terms and wished to reopen their mines and send coal again to market, the railroads, by which alone they could get to market, raised their

freights, as their men were still on strike, to three times the previous figures. These great corporations had determined not to yield to their men, and as they were mine-owners and coal-sellers as well as carriers, they refused to take coal for their competitors. The latter, if they could have got transportation, would have given their own men employment and supplied the people of the country with coal. This would have compelled the great companies either to make terms with their workmen, or to let these other mine-owners take the trade. Instead of doing so, they used their power over the only available means of transportation to dictate the terms upon which every other employer should deal with his men, by preventing him from sending his products to market so long as he granted his men better terms than those laid down by the company. The result was that the price of coal was doubled, rising to $12 a ton; the resumption by the private mine-owners was stopped; and they, the workmen and the consumer, were all delivered over to the tender mercies of the six great companies.

The coal combination was again investigated by the New York legislature in 1878, after the combination had raised the prices of coal in New York to double what they had been. The legislature found that private mine-operators who were not burdened like the great companies with extravagant and often corrupt purchases of coal lands, heavily watered stock, and disadvantageous contracts, forced on them by interested directors, and who have only to pay the actual cost of producing the coal, "can afford to sell at a much less price than the railroad coal-producing companies, and would do so if they could get transportation from the mines to the market." This is denied them by the great companies. "The private operators," says the report, "either find themselves entirely excluded from the benefits of transportation by reason of the high freights, or find it for their interest to make contracts with the railroads, by which they will not sell to others, and so the railroads have and will keep the control of the supply of the private operators." To those who will not make such contracts, rates are fixed excluding them from the market, with the result, usually, of forcing them to sell their property to the lords of the pool. "The combination," the committee declared, "can limit the supply, and thereby create such a demand and price as they may deem advisable." The committee found that coal could be laid down on the dock

in New York, after paying all charges, for an average of $3.20 a ton. It was at that time retailing in the city for $4.90 to $5.25 a ton. "The purposes of the combination are solely to advance the price of coal, and it has been successful to the amount of seventy-five cents to one dollar a ton. Its further advance is only a question whether the combination can continue to repress the production." An advance of only twenty-five cents a ton would on 32,000,000 tons be $8,000,000 a year, which is not a bad thing—for the combination.

Some excitement was caused by the report in August, 1882, that there had been formed in New York and Philadelphia a combination of buyers to control the markets, and "that it was far more autocratic than that of operators and railroads had ever thought of being." Nothing has since been heard of this combination. The only combination of buyers of coal that now exists is called the State, but its members have not yet learned to know their rights or their power. The total amount of anthracite coal land is estimated by President Gowen, of the Reading, to be between 260,000 and 270,000 acres. Of this the Reading Coal and Iron Company owns 95,000 acres, and also holds under a lease of the Central Railroad of New Jersey about 14,000 acres, making in the neighborhood of 110,000 acres. The Lehigh Valley Railroad controls about 25,000 acres; the Delaware, Lackawanna and Western about 20,000; the Delaware and Hudson about 20,000; the Pennsylvania Coal Company 8000 to 10,000, and the Pennsylvania Railroad 5000 to 10,000. The rest of the coal lands is held by individuals, firms, and corporations, and is "necessarily tributary" to the railroad lines of the companies above named, with all that that implies. The capitalization of the coal companies with that of their satellites is upward of $500,000,000. This capitalization was declared by the New York legislative committee to be excessive. Mr. James B. Hodgskin explained, some years ago, in "The Nation," how this inflation was brought about. A generation since, the most important coal lands were covered by the prettiest farms and the wildest mountain forests in the United States, then worth fifty cents to fifty dollars an acre. They were bought up by speculators who sold them to the companies at ten to twenty times the real cost. When railroads were found to be necessary for the development of the mines, railroad schemes were taken in hand by the same class of men, who had acquired experience, skill, and money by their manipu-

lation of the mining companies, and similar tactics were employed to make money out of the new roads. Roads were built costing but one-half or three-quarters of the first mortgage bonds issued on them, and were then saddled with additional stock capital equal to the bonds, making the nominal capital of the roads three or four times the real cost. Of course the road was expected to earn dividends on the twenty-five dollars of real cost as well as the seventy-five dollars of fictitious cost. The swollen total at which the capitalization of the coal companies now stands was obtained by adding the dropsical mining stocks to the dropsical railroad stocks. This is one of the cases in which like has not cured like.

One of the sights which this coal side of our civilization has to show is the presence of herds of little children of all ages, from six years upward, at work in the coal breakers, toiling in dirt, and air thick with carbon dust, from dawn to dark, of every day in the week except Sunday. These coal breakers are the only schools they know. A letter from the coal regions in the Philadelphia "Press" declares that "there are no schools in the world where more evil is learned or more innocence destroyed than in the breakers. It is shocking to watch the vile practices indulged in by these children, to hear the frightful oaths they use, to see their total disregard for religion and humanity." In the upper part of Luzerne county, out of 22,000 inhabitants 3000 are children, between six and fifteen years of age, at work in this way. "There is always a restlessness among the miners," an officer of one of the New York companies said, "when we are working them on half time." The latest news from the region of the coal combination is that the miners are so dissatisfied with the condition in which they are kept, by the suspension of work and the importation of competing Hungarian laborers in droves, that they are forming a combination of their own, a revival of the old Miners and Laborers' Association, which was broken up by the labor troubles of 1874 and 1875.

Combination is busy in those soft-coal districts, whose production is so large that it must be sent to competitive markets. A pool has just been formed covering the annual product of 6,000,000 tons of the mines of Ohio. Indiana and Illinois are to be brought in, and it is planned to extend it to all the bituminous coal districts that compete with each other. The appearance of Mr. Vanderbilt, last December, in the Clearfield district

of Pennsylvania, at the head of a company capitalized for $5,000,000, was the first entry of a metropolitan mind into this field. Mr. Vanderbilt's rôle is to be that of producer, carrier, dealer, and consumer, all in one. Until he came, the district was occupied by a number of small companies and small operators, as used to be the case in the anthracite field in the old days. But the man who works himself, with his sons, in a small mine, cutting perhaps from twenty to forty tons a day, cannot expect to survive the approach of the Manhattan capitalist. The small Clearfield producers, looking at the fate of their kind in the anthracite country, greeted Mr. Vanderbilt's arrival with the question, "What is to become of us?" "If the small operator," said one of the great man's lieutenants, "goes to the wall, that is his misfortune, not our fault." In March last the prominent Clearfield companies gave notice that wages must be reduced on the 1st of April, and immediately thereafter a union of their employés resolved that if the reduction, which they declared to be "without reason," was made they would strike.

Powerful syndicates are at work to control the coke industries of Pennsylvania, which will require from ten to fifteen millions of dollars. March 23, 1884, it was stated that the efforts of a year or more to consolidate the large and small coke-makers of the Connellsville district had succeeded. Nearly 8000 ovens joined the pool, which is under the command of the four largest firms. The smaller men agreed to shut their ovens whenever the heads of the pool ordered. It was announced, two days afterward, that one oven out of every seven had been closed "until further orders," that the price of coke would be advanced at once from ninety-five cents to $1.15 a ton, and that farther advances would be made until the price had been raised to $1.50. In March, 1883, the St. Louis "Age of Steel" had news that a combination had been made of all the coke iron furnaces, with one exception, in Tennessee, Alabama and Georgia, to fix uniform prices and prevent indiscriminate competition and "trickery" of all kinds, which is the disrespectful language in which the coke iron economists speak of the sacred law of competition.

There has been since 1872 a national combination of the manufacturers of the stoves, into which the combination coal must be put; and its effect, the founder said, in his speech at the annual banquet in Cleveland, last February, had been to change the balance from the wrong to the right side of the

ledger. Until lately, at least, combination matches lighted the fire of combination coal in these combination stoves, and it is combination oil which the cook, contrary to orders, puts on the fires to make them burn faster. The combination of match manufacturers was perfected by the experience of sixteen years of fusions, till lately it shared with the coal combination the pleasure of advancing the price of fire by proclamation on the approach of winter. It is now at war with the new companies which have gone into the manufacture since the repeal of the internal revenue tax. These it is attempting to conquer by underselling them, tactics which have hitherto never failed. The Government of the United States, before which all men are equal, helped this combination to kill off its competitors, shielding it from foreign competition by a tax of thirty-five per cent. on the importation of matches from abroad, and shielding it from domestic competition, by administering the internal revenue tax so as to make its small competitors pay ten per cent. more tax. This drove them into bankruptcy, or combination with the ring, at the rate of one or two every month. The railroads, like the Government, helped to transfer this business from the many to a few, by carrying the combination's matches at lower rates than were given to its little competitors.

When the house-maid strikes a combination match on the wall-paper, she leaves a mark on an article the manufacture, sale, and price of which are rigidly regulated by the American Wall Paper Manufacturers' Association. A recent writer has described this oath-bound combination which has established a wall-paper monarchy in the United States. When the cook takes the paper from off the express package, the hardware, the dry-goods, the groceries, the candy, the ham, which have been sent home, she is still handling an article the price of which is fixed by private enactments. The Western Wrapping-paper Association, ever since 1880, has, with more or less success, been struggling to keep down the deluge of too much wrapping-paper, and to fix the prices of all kinds, from the paper under the carpet to that which is used in roofing. It recently failed, but was at once reorganized on a firmer footing than before, and its mills are now allowed to turn out but one-half as much as they could produce. Besides this, the wood pulp and straw paper industries have been amalga-

mated. The American Paper Association aims to control the prices and production of paper for newspapers and books, and for writing. The dealers in old rags and old paper formed an association in Cleveland three years ago to deal with the "old-rag" problem of how to cut down the enormous profits the women of our country are making out of the contents of their rag-bags. In January, 1883, the trade met again at Rochester, formed two "national" associations, and solemnly agreed upon the prices to be paid for mixed rags "that we gather from house to house," and for brown paper and rag carpet. "No change of price for rags or paper," runs the decree of the old-rag barons, "is to be made without consultation of every member of the executive committee." The Western Wooden Ware Association discovered, last December, that there were too many pails, tubs, and bowls, and ordered its members to manufacture but one-fifth of their capacity. In February it gave them permission to increase this to one-half. The Western Cracker Bakers' Association met in Chicago in February to consider, among other things, "the reprehensible system of cutting prices." They first had a banquet. After their "merriment and diversion" the revelers, true to Adam Smith's description, turned to consider "some contrivance to raise prices." "The price lists were perfected," said the newspaper report, and then they adjourned.

The men who make our shrouds and coffins have formed a close corporation known as the National Burial Case Association, and held their national convention in Chicago last year. Their action to keep up prices and keep down the number of coffins was secret, lest mortality should be discouraged. The largest manufacturers of quinine in the world are the Boehringers of Milan, Manheim, and Paris. The next largest are Powers and Weightman of Philadelphia. The latter have just leased the Boehringer factory in Manheim. New York druggists say that these two could force up the price of quinine very high by combination, but do not believe they will do so. A pool of the seventeen leading quinine manufacturers of the world was formed last July. It included the manufacturers of America, Great Britain, and the continent of Europe. It advanced prices for a time twenty cents an ounce, but went to pieces at the beginning of 1884. The manufacturers of patent medicines organized in 1883, and the wholesale and retail druggists have followed with

organizations to prevent the sale of these nostrums at cut prices, or by any persons who were not regular druggists. A "drug war" has broken out and threatens to rage over the entire Union. The combination of the wholesale druggists and that of the manufacturers have mutually agreed to divide the United States into districts, each of which shall be under a superintendent, who is to watch the druggists and report all those cutting prices, who are thereupon to be boycotted.

Every one knows about the thirty-million-dollar steel combination, which has not kept the price of rails from declining from $166 a ton in 1867 to $32 a ton in 1884, but during this decline has kept the price of rails — that is, the price of transportation, that is, the price of everything, higher in this country than anywhere else. Chairman Morrison of the Committee of Ways and Means is a witness to the fact that the chimneys of the Vulcan Mill at St. Louis stood smokeless for years, and meanwhile its owners received a subsidy reported at $400,000 a year from the other mills of the combination for not making rails, with, however, no payment to its men for not working. The steel-rail makers of England, France, Belgium, and Germany are negotiating for an international combination to keep up prices. The "Age of Steel" startled the country last January by the statement that a monster pool was to be formed of all our pig-iron manufacturers. The country was to be divided into six districts. As many furnaces were to be put out of blast as were necessary to prevent us from having too much iron, and these idle furnaces were to share, like the Vulcan Steel Mill, the profits of those that ran. This has not yet proved to be history, but it may turn out to have been prophecy.

There are too many nails for the nail-makers, though no such complaint has been heard from the house-builders. There is a nail association, which at the beginning of the year advanced prices ten cents a keg. Last November it ordered a suspension of the nail machines for five weeks, to the great distress of eight thousand workmen, who are also machines — self-feeders. "We hope," said the nail-men, according to a Pittsburgh dispatch of December 29, 1882, "to show consumers that we can not only control production, but that we can do so unanimously, and at the very time when nails are the least wanted." On April 9th, of this year, the nail manufacturers of the West met again at Pittsburgh, and adopted the most modern form of pool, with

managers having full powers to regulate prices and restrict production. "An early advance of prices may be expected," we are told. Every mill in the West is in the pool. Nail-buyers are not allowed to converse with nail-makers. All business must be done through the Board of Control.

There is too much barbed wire for the wire manufacturers, though not for the farmers, and a pool, under the "entire control" of eleven directors, has, within a few weeks, been formed, in which are enrolled all of the chief manufacturers. Its members met in March in St. Louis, and advanced prices. They met again in Chicago, April 4th, and advanced prices 10 per cent., and adjourned to meet in thirty days for the purpose of making another advance. This combination cuts off competition at both ends. It confederates the makers, so that they shall not sell in competition with each other, and it buys all its raw material through one purchasing agent, so that its members do not buy in competition. The Western Pig Iron Association regard "the cutting of prices as the bane of business," and do what they can to stop it. Thirteen concerns making wrought-iron pipes in this country met in December last to unite under the very appropriate name of the Empire Iron Company. Each was to deposit $20,000 as security that he would adhere to rules to prevent the calamity of too much iron pipe. One feature of the pool was that it proposed to keep men on guard at each mill, to keep account of the pipe made and shipped; and these superintendents were to be moved around from one mill to another at least once every eight weeks. April 1, 1882, when the rest of us were lost in the reckless gayety of All Fools' Day, forty-one tack manufacturers found out that there were too many tacks, and formed the "Central Manufacturing Company of Boston," with $3,000,000 capital. The tack-mills in the combination run about three days in the week. When this combination, a few weeks ago, silenced a Pittsburgh rival by buying him out, they did not remove the machinery. The dead chimneys and idle machines will discourage new men from starting another factory, or can be run to ruin them if they are not to be discouraged in any other way. The first-fruits of the tack-pool were an increase of prices to twice what they had been.

One of the objections raised thousands of years ago in Greece, against the union of people of the same trade, was that their

meetings degenerated into political conspiracies, and Trajan, for the same reason, refused to accede to the request of Pliny that he might enroll a fire company out of the workmen of Nicomedia. No precautions, said the shrewd emperor, can prevent such associations from becoming dangerous conspiracies. The whisky distillers' pool is a combination of all the distillers north of the Ohio River from Pittsburgh to the Pacific Ocean. It regulates production, export, and prices. Its success at Washington, in securing legislation several years ago granting whisky makers the privilege, given to no other tax-payer, of a postponement of the time for payment of taxes, is a significant reminder of Trajan's saying. The demand for whisky so far falls short of the capacity of the pool to produce, that a large number of distilleries are kept idle, drawing pensions from the combination, in some cases as high as $500 a day. The Brewers and Maltsters' Association of New York fixes the prices of beer by combination, and claims to control 35,000 votes. It takes to itself the credit of the defeat, last year, of Mr. Maynard, candidate for Secretary of State of New York. At the last session of the association the suggestion was made by one of the speakers, that if the brewers would see that the foreigners in their employ took out naturalization papers, they would, no doubt, "cast their votes properly."

The publishers of school books do not like competition — that is, what they call "dishonest competition." Nineteen of the leading firms of the country have formed a combination, by which they are bound to obey the orders of an executive committee as to prices and other matters. This, says the "Age of Steel," will be cheerful news to the heads of families, who already have enough half-worn school books in the house to have stocked a whole township forty years ago. A heavy penalty is imposed upon any publisher who supplants the books of another house in the pool by reducing prices or otherwise. The successful man has to hand over to the unsuccessful one the value of the book for three years. The Ohio Senate recently discussed means for overcoming this combination and securing competition in the supply of school books to the State as of old.

The competition of the fire insurance companies, which broke out in 1875, upon the collapse of their pool, cost them in New York city alone $17,500,000 in seven years, and in 1882 they made a new combination which covered the whole country, and is, in point of wealth and cohesiveness, one of the most powerful

and most successful in the country. The combination of makers of stamped tinware, formed in 1882, expelled members who sold at lower than the fixed rates, and refused to allow any one in the pool to sell to the offenders. The situation was so uncomfortable, that the expelled deliberated whether to prosecute the association for conspiracy or to pay the penalty and go back into the fold; they chose to do the latter.

Two years ago it was found that there was too much milk in New York and Boston. The "embattled farmers" of Orange county, which supplies New York with two-thirds of its milk, declared a milk war. The New York dealers were cut off from their regular supplies. Committees of farmers waited at every railroad station, and offered to buy all the milk that was brought down for shipment by those who did not join in the combination. When bought it was spilled. When not bought it was usually spilled just the same. Two Italians with performing bears were in Goshen on the night when the first milk was spilled. The farmers said the bears did it, and while the "milk war" lasted the spillers were known as "the bears." When the superintendent of the Lehigh and Hudson Railroad allowed milk to be shipped against the protests of the farmers, they threatened to tear up the tracks, and the sheriff of the county had to be called in to protect the road. Sheriffs' deputies, appointed to protect the shippers, helped the bears to spill the milk. At Warwick all the streets leading to the depot were barricaded by the bears with ropes. It took eight men armed with clubs, guns, and pistols to guard one man collecting milk. Peace was declared March 24, 1883. A committee of the farmers and a committee of the milkmen, representing eight hundred dealers in New York, Brooklyn, and Jersey City, agreed upon a fixed price for each month until April, 1884, ranging from two and a half to four cents a quart, according to the time of year. The organization of farmers spread until it covered Delaware, Orange, and Sullivan counties in New York, and Hunterdon and Sussex counties in New Jersey. March 22d, of this year, the farmers' committee and that of the milk dealers' organization, known to the honest farmers as the "Pump Handle Association," met again, agreed on prices for another twelvemonth, and this year there will be no milk war.

The trade in milk at the point of largest consumption in the United States now rests in the hands of these combinations.

The same thing is going on at other places. The New England Milk Producers' Association met in Boston, last January, for the purpose of thoroughly organizing the milk farmers. Representatives from New York who had led the farmers there were present to point out the way. The Secretary of the Massachusetts Board of Agriculture read a letter from a gentleman in which a check of one hundred dollars was inclosed, to pay for milk to be poured on the ground to help the success of the producers' cause. The membership was increased from 86 to 291. Resolutions were adopted calling upon all the farmers who supplied Boston with milk to join the association and do all in their power to solve the "milk problem." On March 22d, the day of the similar meeting in New York, the association met again in Boston, conferred with the representatives of the milk dealers, fixed the price of milk from April to October at thirty-four cents for eight and one-half quarts by a vote of 91 to 39, and adjourned. The ballot is a new force in the manufacture of prices, and one well worthy the attention of those who are curious about the developments of universal suffrage.

Other combinations, more or less successful, have been made by ice men of New York, fish dealers of Boston, Western millers, copper miners, manufacturers of sewer pipe, lamps, pottery, glass, hoop-iron, shot, rivets, sugar, candy, starch, preserved fruits, glucose, vapor stoves, chairs, lime, rubber, screws, chains, harvesting machinery, pins, salt, type, brass tubing, hardware, silk, and wire cloth, to say nothing of the railroad, labor, telegraph, and telephone pools with which we are so familiar. On the third of April the largest and most influential meeting of cotton manufacturers ever held in the South came together at Augusta to take measures to cure the devastating plague of too much cotton cloth. A plan was unanimously adopted for the organization of a Southern Manufacturers' Association for the same general purposes as the New England Manufacturers' Association. The convention recommended its members to imitate the action of the Almighty in making a short crop of cotton by making a short crop of yarns and cloth, and referred to a committee the preparation of plans for a more thorough pool.

Such are some of the pools into which our industry is eddying. They come and go, but more come than go, and those that stay grow. All are "voluntary," of course, but if the milk

farmer of Orange county, the iron molder of Troy, the lumber dealer of San Francisco, the Lackawanna Railroad, or any other individual or corporate producer, show any backwardness about accepting the invitation to join "the pool," they are whipped in with all the competitive weapons at command, from assault and battery to boycotting and conspiracy. The private wars that are ravaging our world of trade give small men their choice between extermination and vassalage. Combine or die! The little coke burner of Connellsville works or stops work, the coal dealer of Chicago raises his prices or lowers them, the type-setter takes up his stick or lays it down, as the master of the pool directs. Competitors swear themselves on the Bible into accomplices, and free and equal citizens abandon their business privacy to pool commissioners vested with absolute power, but subject to human frailties. Commerce is learning the delights of universal suffrage, and in scores of trades supply and demand are adjusted by a majority vote. In a society which has the wherewithal to cover, fatten and cheer every one, Lords of Industry are acquiring the power to pool the profits of scarcity and to decree famine. They cannot stop the brook that runs the mill, but they can chain the wheel; they cannot hide the coal mine, but they can close the shaft three days every week. To keep up gold-digging rates of dividends, they declare war against plenty. On all that keeps him alive the workman must pay them their prices, while they lock him out of the mill in which alone his labor can be made to fetch the price of life. Only society can compel a social use of its resources; the man is for himself.

On the theory of "too much of everything" our industries, from railroads to workingmen, are being organized to prevent milk, nails, lumber, freights, labor, soothing syrup, and all these other things, from becoming too cheap. The majority have never yet been able to buy enough of anything. The minority have too much of everything to sell. Seeds of social trouble germinate fast in such conditions. Society is letting these combinations become institutions without compelling them to adjust their charges to the cost of production, which used to be the universal rule of price. Our laws and commissions to regulate the railroads are but toddling steps in a path in which we need to walk like men. The change from competition to combination is nothing less than one of those revolutions which march through

history with giant strides. It is not likely that this revolution will go backward. Nothing goes backward in this country except reform. When Stephenson said of railroads that where combination was possible competition was impossible, he was unconsciously declaring the law of all industry.

Man, the only animal which forgets, has already in a century or two forgotten that the freedom, the independence of his group, of the state and even of the family, which he has enjoyed for a brief interval, have been unknown in most of the history of our race, and in all the history of most races. The livery companies of London, with their gloomy guildhalls, their wealth, their gluttony and wine-bibbing, their wretched Irish estates, exist to-day vain reminders to us of a time when the entire industry of Europe was regimented into organizations, voluntary at first, afterward adopted by the law, which did what our pools of railroads, laborers, manufacturers, and others are trying to do. Not only prices but manners were pooled. "The notion," says Cliffe Leslie, "that every man had a right to settle where he liked, to carry on any occupation he thought fit, and in whatever manner he chose, to demand the highest price he could get, or on the contrary to offer lower terms than any one else, to make the largest profit possible, and to compete with other traders without restraint, was absolutely contrary to the spirit of the ages that preceded ours." This system existed for centuries. It is so unlike our own that the contemplation of it may well shake us out of our conceit that the transitions, displacements, changes, upheavals, struggles, exterminations—from Indians to sewing women—of the last two hundred and fifty years were the normal condition of the race.

Those were not exceptional times. Our day of free competition and free contract has been the exceptional era in history. Explorer, pioneer, protestant, reformer, captain of industry could not move in the harness of the guild brother, the vassal, the monk, and were allowed to throw away mediæval uniforms. But now "the individual withers; the world is more and more." Society having let the individual overrun the new worlds to be conquered, is reëstablishing its lines of communication with him. Literary theorists still repeat the cant of individualism in law, politics, and morals; but the world of affairs is gladly accepting, in lieu of the liberty of each to do as he will with his own, all it can get of the liberty given by laws that let no one do as he

might with his own. The dream of the French Revolution, that man was good enough to be emancipated from the bonds of association and government by the simple proclamation of Liberty, Fraternity and Equality, was but the frenzied expression of what was called Freedom of Self-interest in a quieter but not less bloody revolution, if the mortality of the factories, the mines, and the tenements be charged to its account. A rope cannot be made of sand; a society cannot be made of competitive units.

We have given competition its own way, and have found that we are not good enough or wise enough to be trusted with this power of ruining ourselves in the attempt to ruin others. Free competition could be let run only in a community where every one had learned to say and act "I am the state." We have had an era of material inventions. We now need a renaissance of moral inventions, contrivances to tap the vast currents of moral magnetism flowing uncaught over the face of society. Morals and values rise and fall together. If our combinations have no morals, they can have no values. If the tendency to combination is irresistible, control of it is imperative. Monopoly and anti-monopoly, odious as these words have become to the literary ear, represent the two great tendencies of our time: monopoly, the tendency to combination; anti-monopoly, the demand for social control of it. As the man is bent toward business or patriotism, he will negotiate combinations or agitate for laws to regulate them. The first is capitalistic, the second is social. The first, industrial; the second, moral. The first promotes wealth; the second, citizenship. These combinations are not to be waved away as fresh pictures of folly or total depravity. There is something in them deeper than that. The Aryan has proved by the experience of thousands of years that he can travel. "But travel," Emerson says, "is the fool's paradise." We must now prove that we can stay at home, and stand it as well as the Chinese have done. Future Puritans cannot emigrate from Southampton to Plymouth Rock. They can only sail from righteousness to righteousness. Our young men can no longer go west; they must go up or down. Not new land, but new virtue must be the outlet for the future. Our halt at the shores of the Pacific is a much more serious affair than that which brought our ancestors to a pause before the barriers of the Atlantic, and compelled them to practice living together for a few hundred years. We cannot hereafter, as in the past, recover freedom by going to

the prairies; we must find it in the society of the good. In the presence of great combinations, in all departments of life, the moralist and patriot have work to do of a significance never before approached during the itinerant phases of our civilization. It may be that the coming age of combination will issue in a nobler and fuller liberty for the individual than has yet been seen, but that consummation will be possible, not in a day of competitive trade, but in one of competitive morals.

HENRY D. LLOYD.

THE STRUGGLE FOR IMMORTALITY.

LIFE is either a problem or a play; which, will be decided by temperament rather than by circumstance. The instinct of the dramatic, the passion to be pleased, are as compulsory in their way as suffering or thought. Superficiality, we must remember, may be as inevitable as sensitiveness. The man who said that for his part he always got away from unhappy people, had either more candor or less tact than most of his sort; but it is a sort that can no more be disregarded in an estimate of the world than any other of the defective classes. The impulse with which we embrace or repulse the higher form of fact, may be the decisive trait that must generalize us in a classification of species at which science has not yet arrived.

Individuality is the one essential fact of life; its presence, in whatever surplus or wryness, is matter of calculable regard, as its absence is of futile regret. There never was a wiser saying than his who told us that for our faults of exuberance there might be all possible remedies; for our deficiencies — none. A nicer distinction between defects and deficiencies might further refine the illustration.

Who are they who conquer nature, create kingdoms, discover truth, rule society, comfort anguish, and purify evil? It is truism to say: The men and women who have been themselves. Whom do we seek in some famine of the mind? Not him who conforms, who is fractional rather than integral. Or to whom do we turn when our hearts are breaking? Not to the smoothest, but to the strongest personality that is intelligible or available to our own. We all know men who are mental derricks, hoisting everybody within reach. We have all felt people who are moral cyclones, hurling everything out of their track.

Yet force is not of necessity noisy. Love is not boisterous. The atmosphere is not obtrusive. A woman's will may be silent, and may "be done," like Heaven's. "The strong power called weakness" has its own kingdom. We may be in the clutch of the earthquake, or the slave of a still, small voice. Insistence has many natures; they are alike only in this: that they insist.

The tendency of individuality is to vigor; and because to vigor, therefore to duration of life. This seems a very simple thing to say. If it be strictly true and thoroughly believed, it may be seen to have complex results, some of which it will be the object of this paper to consider; not as truths which can presume to be called new, but rather, by the season of prevailing thought, renewed.

That the trend of individuality is toward force and permanence, we are reminded at every turn. Diffusion is feebleness. Speech weakens feeling. The flood lessens the current. Shallowness produces evaporation. Commonness reduces preciousness. Deep emotions are perpetuated; mighty love means constancy, and marked hate is incurable. Vigorous characters reproduce themselves; emphasized characteristics are hereditary; and so on. The list is practically endless.

In this last connection, we are all more or less familiar with the work of modern science; a work whose value, as we shall presently see, only begins with its physical aspects, and out of which a higher science has still to be evolved by a discoverer possibly yet unborn.

Our late great apostle of natural science has popularized for us several indispensable terms, in which it is as natural for the mind to think to-day, as it was for the child Montaigne to exclaim in Latin when his father fainted. One of these most useful words is Selection. The facts of selection — natural, sexual, and unconscious — in the history of man, and of the lower organizations, are established for intelligence beyond the right of ignorance to question. These facts, and the meaning of the facts, are in our primers now. The same may be said of that most happy phrase — the struggle for existence.

"Nothing is easier," says Darwin himself, "than to admit in words the truth of the universal struggle for life, or more difficult — at least I have found it so — than constantly to bear this conclusion in mind. Yet, unless it be thoroughly engraved

in the mind, the whole economy of nature . . . . will be dimly seen, or quite misunderstood."

The apparently trifling or irrelevant minutiæ crowding the pages which lay bare to the world the curiously interesting processes that go to the creation of a great theory, have a special, but not always superficially evident, value in the direction of our thought.

We are told, for instance, that if the multiplication from a single pair of elephants were unchecked by accident or death, in seven hundred and fifty years there would be nineteen million elephants alive. We are reminded that in Paraguay neither cattle, horses, nor dogs run wild, because their infant progeny are destroyed by a certain parasitic fly, which has preëmpted that vague, geographical region. We read that heart's-ease and red clover would disappear from England if humble-bees were exterminated there. Or we hear of the "walking-stick insect," which, that it may protect itself from danger, is made to resemble a "walking-stick closely overgrown with moss." Or again, we are asked to believe that the ball-and-socket decorations on the wing-feathers of the Argus pheasant are æsthetically appreciated by the female during courtship. Or our attention is concentrated upon the fact that among the Kalmucks, who practice the custom of bridal races (the bride having a fair start), "no instance occurs of a girl being caught unless she has a partiality for the pursuer." Or we are told that if human reproduction were not offset by mortality, there would not, in a thousand years, be standing-room upon the earth for the progeny of man. Again, we are reminded that the Holy Inquisition killed off the bravest, freest, and most independent minds of its time, and thus appreciably depleted Europe of her best material. Or it is suggested that the culture of Greece and the empire of Rome seem to have their chief purpose and value as subsidiaries "to the great stream of Anglo-Saxon emigration to the West." Or we are asked if the idea of a universal and beneficent Creator be not the result, in the mind of man, of elevation "by long-continued culture."

The connection of these rather burly statements with the spiritual future of mankind is not at first sight apparent; and, to the merely scientific student, may remain obscure. Yet the continuity in such a progression of selected facts is subtle, and the workmanship nice. From beginning to end, the link within the link is the force of individuality. The relation of individ-

uality to spirituality completes the chain which, in view of that relation, it is here our purpose to examine.

Man is born to fight for his life. This is the upshot of the new wisdom. (After all it is rather an old wisdom.) He has been developed from ancestral, inferior organizations which, in turn, have had to fight for their lives. All the great and little facts of history converge to this truth. Conflict with the elements has mown down non-combatants. The attraction between the sexes has served as the great appreciator of personal values. Death, like "gray-haired Saturn, quiet as a stone," has stood guard against the event of the world becoming uninhabitable from excess of life. Climate, disease, accident, anguish, love, war, superstition, even civilization itself, have each served their turn in the awful battle. All are but so many foes to the new-born babe. Carlyle put one view of the truth in his rough way when he said that the ultimate question between any two human beings is: "Can I kill thee? or, canst thou kill me?" We rate by thousands of years the age of the great design carved in the Cambodian temple, which represents a wheel of inchoate, writhing forms — serpents, dragons, monkeys, and men — revolving in a conflict vast and mysterious, and typifying "The Struggle of Natural Life toward the Ideal and Spiritual." Existence is a challenge. Circumstance is the gauntlet. Success is victory, and failure is defeat. Death is (or may be) escape.

It will be seen that to say all this is to say simply that the struggle for existence is decided by the ratio of individuality to the odds. Whether we have to do with the duels of mastodons in a prehistoric forest, or the conflict of an Esquimau with the elements, or the broken heart of Sappho, or the dying bed of Keats; whether we are dealing with the extermination of a tribe of Kaffirs, or the decline of an over-civilized empire, or the fall of an outlawed religion, the radical elements of the question are the same. Personality is power. Behind every great success is an individual. There is the absence or the destruction of one in every great defeat. Who conquers? The integer. Who fails? The fraction.

It should be remembered, of course, that individuality may be subtle or strong, and that conquest may be apparent or real Success may be a matter of muscle or of imagination. Defeat may come from brain or brawn. There is victory of the diges-

tion and failure of the temper. There is failure of the nerves and victory of the spirit. There is weakness of the conscience and power of the will. There is success in the incidental and temporary, and there is failure in the essential and permanent. There is deification of the body and insult to the soul. There is ruin of the body and construction of the soul. An untimely fit of hysteria may cost a woman the intellectual ambition of all her days. A man with the prosperities of life in his hand may lose, by a rude word or a selfish deed, the heart of the woman who would have been worth to him the world and the glory thereof. Of Napoleon, it has been said by a recent historian, that he was a threefold being, of active intellect, imperious will, and deficient moral sense; and, from the hollow of that deficiency, history measures his surplus and his success. Christ was called a failure by his contemporaries.

It needs no historian to remind us that individuality is, in fact, the result of a conflict between widely differing, and by no means necessarily obvious agencies—the effect of counteraction between the evident and the suggested, or between the seen and the unseen.

It needs no prophet to tell us that this counteraction is to become more complicated as it is overtaken by civilization; that the proportion of the obvious to the latent is likely to be lessened; that the relativity of the evident to the suggested will undergo change; and that the ratio of the seen to the unseen may be expected to suffer mathematical transference.

This is to say, in brief, that, for a man to become a force, is to be one among diversely many, or one through harmoniously many things. And, that to become a force in the future, is probably to be a much less simple matter than it is now, or has ever been. An individual, in fact, represents not only a huge amount of fighting capacity, but must represent an increasing amount of tactical ability. A powerful personality may be said to be what the Hahnemannians call "a complex of symptoms."

The love of life is one of the elements of life; we might say that it is what physiologists call one of the "proximate principles" of life. It is not enough merely to say that the love of life is normal—it *is* life. The most exhausted victim of existence will admit that it is his exhaustion which ails him Bulwer says somewhere that there is a want more fierce than the want

of food, more terrible than the want of sleep; it is "the want to die." The world-weariness which is so incontestable a feature of our age, was foretold long ago by an ancient Persian proverb, which ran: "When men, in passing by the newly-made grave, shall say, 'Would, God, I were there!' the end of the world is nigh."

But even suicide in no sense intrudes upon the main truth, simple as a primary color, and organic as the action of the heart; —that to be alive is to wish to live. He who desires death has already begun to die. He who reaches the point of encroaching upon death is already virtually dead. Such encroachment is simply a form of the universal fact. The passion for self-destruction is but one means of accomplishing dissolution. One man has typhus fever; one cuts his throat; one has consumption; another has suicide. Each is a disease. The incipient cough that nobody notices, and the first toying with the cocked pistol that nobody knows, may be, for philosophical purposes, the same thing. This is not the place to discuss the moral aspects of suicide, of which I have here nothing to say.

The undeniable extension of self-destruction, as tabulated by the best statisticians of the subject to-day, only substantiates the premise in a high sense. It is reluctantly admitted by some of the bleakest materialists among these statisticians that one of the prevailing causes of the increase of suicide is the increase of religious unbelief. This is, perhaps, the subtlest illustration yet in hand of our point — setting quite aside its use in a didactic sense, as I would be understood to do, in this connection.

The doomed being who anticipates death everlasting, as his part and lot in the problem of universal suffering, stretches forth his hand to clutch his portion, and is, in effect, already dead, because he is to die. Death sets in with the passion for death. Life implies the love of life. Other things being equal, the healthy body craves life. Other things being equal, the healthy soul demands life. It may be said that none of us are ever actually beaten in the battle of existence except by untimely death, by madness, or by what it is now a little old-fashioned to call sin.

The desire for eternal life is a very old human preference. It must be also admitted to be a very strong one. It is impossible here to do more than recall the existence of the immense

mass of scholarship and sentiment, faith and dogmatism, wisdom and folly, which have been wreaked upon the sole aspect of the subject that raises the question whether belief in the future life is intuitive in the mind of man.

This paper does not presume to enter upon that venerable and tremendous discussion, but would suggest its huge proportions in the history of thought as significant far beyond the reach of mere argument. However we come by the wish to live forever, the fact seems to be that most of us have it. Whatever were the private views of the Cave-men, or even the current of thought in the Jewish theocracy upon this point, it seems to be true so far as the evidential testimony is in, that the race has desired, if not expected, continuance after death.

This fact alone would not prove that we should get what we desire; but it is certainly not a good reason for showing why we should miss it. To say that no subject whatever has so deeply stimulated the human mind, as that of a life to come, is not to overstate the case. The agitations of love and the consequences of death have been the two fundamental objects of interest in this world; and of these twin princes, the gentler has yielded the crown to the sterner brother. Where is the lover whose ardor would not be chilled by an apparition or an earthquake?

A glance at the literature of eschatology as represented in the catalogues of even our secular and popular libraries, astonishes one who looks at them for the first time. A celebrated publisher once said that to put the word Heaven into the title of a book was enough to insure the sale of it. I remember to have heard one of the most philosophical of men—the least impetuous either in thought or speech, and one of the best trained in intellect and character—say that he would prefer any life, even that of a supposable world of woe, to annihilation. A man who has acquired the habit of living is loth to suspend it. His custom has become his appetite; it seems to him even to have become his right.

Christian philosophy has a certain respectable position among systems of thought. As a system, it has somewhat emphatic bearings upon the idea which we are pursuing.

It is the great point, so to speak, of the Christian religion, that it comforms vigorously to the vigorous love of existence in

the existing. It meets this high instinct on lofty ground; it treats it with the respect due any such elemental impulse; it deals not with the dream, but the deed; it offers no fantasy, but a promise; it plunges us in no reverie, but holds us to an assurance; and mocks us not with myths, but controls us with facts.

"God," it has been well said, by a great metaphysician," is chiefly of interest to us so far as he is the condition of our immortality." Recognizing this truth, Christian philosophy squarely offers duration of life to the individual.

Such an offer, it will be said, has been made before. True, and happily true. Were this not so, had the race existed six thousand years — or sixty — more or less, with no more hope of perpetuity after death than so many kangaroos, the originality of Christianity might have been her practical destruction, and that which has been accepted as an inspiration might have been set aside as an "ism." It may be claimed, however, that the Christian form of the offer of immortality is, up to this time, the most reasonable which has been presented in the history of religion; that it is the most explicit, the most logical, the most finished; in short, that it is a progression from other and lower phases of the same thing, and in so far entitled to the respect due to any highly-advanced organization.

Passing the outworn superstitions, whether of savagery or civilization, it seems to be fashionably possible at present to be either a Buddhist or an Agnostic — assuming that one has missed of being a Christian. Of these three forms of belief toward which the consensus of the intelligent inclines, to-day, it will not be disputed that Christianity is the only one which advances consistent hope of personal immortality. The vagueness and vagary of Buddhism upon this doctrine are too well known to need explanation here. The "Dream-religion" may, or may not, make you a man or a cloud, at the thither side of death; it is not clear whether one shall be an angel or an atom. Much aesthetico-religious sensibility which luxuriates over the "Light of Asia," would be cured by a sound acquaintance with the Suttas or Dhammapadas in a standard translation. "Never," says Max Müller, "had a scheme of salvation been put forth . . . so independent of, so even antagonistic to the belief in a soul, the belief in God, and the hope of a future life."

Shall we ask Agnosticism for her eternal hope? Hollow is her evasive reply! Such dreary elusion is not a new one, at best,

in the history of belief. "When," says Müller again, "after many centuries of thought, a pantheistic or monotheistic unity has been evolved out of the chaos of polytheism . . . there has always arisen, at last, a school to whom theological discussions have lost their interest, and who have sought for a new solution of the questions to which the theologies have given inconsistent answers, in a new system in which man was to work out here on earth his own salvation." Up to a certain point Agnosticism has, indeed, pilfered from Christianity in the attempt to substitute for a strong and glorious affirmation a weak and pitiful negation. So intense is the love of life in the human soul that even this negation is pathetically snatched. He who has no longer any hope of existence beyond the incident of his own death-bed, palliates his condition by prating of the invention of immortality by-and-by, as one may take out a patent on souls; or, he who buries the beloved of his life, standing comfortless at the grave's gap, listens to feeble talk of her continuance in the future of the race.

The Christian religion, in offering duration to the individual, is, as we have said, explicit and logical; but it is also conditional. It is difficult for the mind reared among the familiar speech with which most of us dispose of this subject, to be alertly aware of the fact that immortality is nowhere proved to be a natural right. Yet such is the fact. Like suffrage, immortality is not a right, but a privilege. It is not property, but a gift. This gift is offered to you or me upon conditions which we can accept or deny at will. The founder of our religion makes, we may say that he constitutes, the conditions. Everlasting life is, in fact, according to this religion, bestowed by Jesus Christ upon the human soul. The consequence of declining this gift and its conditions would seem to be logically, if not theologically, wrapped in the phrase, "everlasting death." But this opens debatable ground, upon which our paper can do no more than glance.

Theology is not Christianity. The word and the creed are not one and the same. The premise of the master and the conclusion of the priest may diverge through pressure of a hundred inevitable causes.

The writer is no theologian and is not writing to theologians, and is loath to touch upon a point which laymen must treat rather by instinct and judgment than by equipment. Yet the great common sense and heart of the world will have their way with the great common problems. The universal must abide the uni-

versal test. The question whether any portion, large or small, of the human race is to suffer forever is, at least, one which it would seem to be in poor taste to treat flippantly, and poor religion to treat acrimoniously. If there be any question above all others in which people who think as well as feel, or people who feel as well as think, should grant each other large and solemn charity, this is that question.

It is not a matter to be frivolously set aside, either by theological prejudice, or personal preference. It is difficult to suppose that the eternal future of the mass of the human race depends upon the culture of an exegete, or the translation of a Greek word. Whatever may be the truth, or the choice between the chances of the truth, such a choice should be made in a spirit above the reproach of controversial bitterness or pettiness, and "on the height" of a sacred gentleness of soul, wherein "lies repose."

It would be seen by an exegetical study of the subject that that may be at least no unscriptural, or unreasonable form of Christian faith, which offers immortality — any kind of immortality — as a gift, on specified conditions, to the individual. To this extent, therefore, Christianity may be called in support of the suggestion to which we find ourselves now clearly directed by the train of thought that we have pursued; and, in so far, those who are themselves believers in the value of the Christian faith, and tolerant of its differing interpretations of the Bible text, may be inclined to follow us. For those who are not such, the argument stands or falls by itself; lacking, in that case, a certain emphasis, but not, we trust, without order.

"He that believeth on me," said Jesus Christ, "hath everlasting life." "Immortality," said Emerson, "will come to such as are fit for it. He who would be a great soul in the future must be a great soul now." Both the religious and the philosophical aspects of our thought have their force; he who accepts either, has something; he who holds both, has much. "Blessed be the day," cries the modern Buddhist, "when I shall draw the veil from the face of my beloved . . . . . But the veil on the face of my beloved is the dust of this earthly body." "There is a spiritual body," asserted the Christian apostle. "I am the resurrection," said his Master.

Now, then, it will be remembered that we have gone over certain ground in this paper, not unfamiliar in itself, but holding, as the writer hopes, some fresh relation to contiguous terri-

tory. We have traced the nature and effects of personality as a factor in power. We have noticed that the tendency of individuality is to vigor, and because to vigor, therefore to duration of life. We have remembered that modern science has given us proof so overwhelming as to partake of the nature of revelation, of a truth so familiar that we had all but overlooked it — the truth that man, to the most solemn ends, is born to fight for his life. We have recollected that the struggle for existence is decided by the ratio of individuality to the odds; that individuality may be subtle or strong; that victory may be real or apparent; that individuality is likely to become, with the progress of civilization, a more complex fact, in which the relation between the seen and the unseen may change its present proportions. We have called to mind, also, that the love of life is one of the elements of life, and that death sets in with the passion, whether real or apparent, for death. We have remembered that the desire for eternal, and therefore unseen, life is an important human impulse; and we have alluded to the contributions of Christian philosophy toward the love of eternal life especially as framed in the theory of conditional immortality. We have further suggested that the Christian offer of immortality is a progression from lower phases of the same thing, and entitled to the respect due to any highly-advanced organization.

Does it not remain to be said that strength of individuality is probably proportional to the strife for eternal existence? Tremendous is the truth, if this be true. A man may be negligent of his own noblest nature if he deem himself the victim of a blind chance, or a relentless tyrant, or even an arbitrary governor. He must start, if he be a man, to a view of life and time which puts him on his mettle before both. The appeal to self-respect, in such a view, is as powerful as self-respect can bear. Suppose that this view be true. Suppose that the struggle for existence which begins with the Protozoa, or the Promammalia, and advances* to Aristotle or Darwin, has become nothing more nor less than a struggle for immortality.

Suppose that the challenge is thus broadly thrown down to you, or me, or Newton, or the Jukes family. Live or die! It is

* We say advances. We cannot say ends; for we have no evolutionist yet returned from the silence of apparent end, to classify whatever possible superior form of being may exist beyond reach of our microscope or telescope.

your own affair. You have the conditions and the chances. Accept or decline. No gods, pagan or Christian, shall interfere to compel you. Your personality has sacred and awful rights. You are caught in the machinery of inextricable law. Love is a part of that law; but both love and law must take the material that you give them. Of what stuff are you made? Abide the test. It is ours to ask. Are you a man or a molecule? Are you a soul or a cell? It is yours to decide. Give us the proof.

Truth has endless corridors by which to approach conviction, and one can see in such a view as this, a marked appeal to certain types of nature which seem to be left out of the usual religious argument. It is, perhaps, true that many a person objects to troubling himself with immortality, either as an advantage or a disadvantage, when his attention is concentrated exclusively upon the fact that eternal life involves definite moral conditions. That it should imply, also, certain conditions of a very different sort, is quite another matter; that it should touch the intellect, the force, the good sense, or even the simple pluck of a man — this is to be regarded. We may be conquered through our pride, when we cannot be won through our conscience. He who does not find it any longer exciting to be told that he is not good enough to live forever, will scarcely hear without interest that he is not strong enough. Many of us would rather be called bad than weak. It is an arrest to the thoughtfulness of any man but an inferior one, to show him reason why he may be in the way of losing an obvious gain, through inferiority. Precisely that, such a view of the struggle for immortality as we have suggested would undertake to show.

In proportion to the force and vigor of the individual is the love of life, present and to come. Eternal life should be, at least, as much a test of power as temporal life. Individuality means the acquisition of life; one rates oneself accordingly. To love life, to strike out for it, to overcome it, to insist on it, is strength. To fail of it, is weakness. We do not stay just now, to remind you that a pure heart, forgiven sin, consecrated deeds, are the conditions of immortality, and that a given being may miss of it by missing these; we say only that he misses it, because there is not enough of him, or because he does not make enough of himself to get it. He of the centrifugal nature, whose mind works from within outward, moving in spirals about moral problems; who finds it easy to doubt accepted truths because of what strikes

him repeatedly, at the same point, as the excess of his own originality — he will be reluctant to believe that he may be declining immortality simply because he is not man enough to have it. Yet, metaphysically as physically, the argument holds. He is thrust upon a battle-field, enormous and deadly. As for the bread of the body, so for the bread of the soul, he fights. As for life, love, success, fame, and the trifles of time, so for eternal hope, and its majestic possibilities, he shall be challenged. Is he a man? let him show his colors. Is he a soldier? ask for his scars. Does he hold his ground? Does he shirk, desert, surrender, or fly? Let him look to it. By so much as he is a force, he will keep the field.

Retreat from the great effort of being to secure its own continuity, may have whatever moral aspects; it is at least true, that to retreat is to be beaten; that to be beaten is to be weak; and that such weakness may be the last fate which has presented itself as probable to the type of soul most likely to succumb.

For, let us notice, the struggle for immortality is not a simple and obvious affair. The armor and saber, the powder and shot, are not, in fact, altogether the urgent and the tangible. The blood and dust and mortal cries may not be the apparent, or the audible; and he who is hurled down "unable or to move or die," may give no sign. As with the silent defeats of life, so with its dumb victories. He needs the higher education in the deaf-mute language of the soul, who would apply his tactics to the estimate; and his is the best martial culture of the spirit which is most conscious of its own unfitness to specialize that estimate. But so much as this it is easy to see: as civilization refines, the intricacy and delicacy of the struggle for existence must refine with it; and, that this is likely to be true of eternal as well as of temporal existence, the course of our argument has already suggested, and now finds itself obliged to emphasize.

The struggle for eternal life is no light matter, like ladies' calisthenics, which exercise only certain muscles. The athletics of the soul are virile; they are impartial; they are not ornamental and fanciful. Development is demanded for use, not for exhibit. Tissue and sinew and blood and bone respond; now this, now the other, urgency on one, relief of the other, pressure here, repose there, strain to-day, rest to-morrow, this faculty aroused, the other lulled, this feat to be performed, that danger scorned, a boy's medal won to-day, and a man's life

saved next year; thus the soul, in the hands of the Silent Trainer, grows in frame and fiber. Will we play battle-door and shuttle-cock for our prizes? Or close and wrestle for them?

We have spoken of the evolution of a higher than the physical, from the physical science which holds so disproportionate, but none the less useful, an influence over the thought of the instructed world to-day. "We are spirits," said one of the coolest of scientific men, a century ago. "We are spirits. That bodies should be lent to us while they can afford us pleasure, assist us in acquiring knowledge, or in doing good to our fellow-creatures, is a kind and benevolent act of God." The practical Franklin showed his keen good sense in this matter-of-fact way of expressing a truth which is too often approached upon the mystical and most difficult side. We are, indeed, spirit; and we may, without hesitation, dispute so much as this with him who begins by saying that we are matter. It cannot be denied that we have at least as good a right to start with the one assertion, as he with the other. "I should never," says Elizabeth Peabody, "teach a child, 'You have a soul,' but, 'You have a body.'"

Let us then call the struggle for immortality an advanced form of the lower encounter. It is a struggle historic and dramatic, as it is involved and unconcluded. A man cannot fight this fight with part of his nature. It takes the whole of him. A stout fist avails him little without sound thought. He cannot gain the day by his intellect, lest he lose it on the side of his heart. Neither does emotion win without reflection, and hysteria is a poor weapon to substitute for common sense. We find at once, that we have approached herein a problem complex to the edge of mystery. For, there enters into this struggle a strange law of spiritual selection, differing from that governing the conflicts in the lower phases of organization, as fineness differs from momentum, the telephone from a war-cry, or the flower Charity from the Inquisition.

The conditions of immortality wholly refuse to rest upon the piers which hold the conditions of conquest in the life of time. Brute force ceases now to keep its relative value in this larger contest. There is what may be called a brute force of the mind, of which this is equally and terribly true. Sheer intellect has no greater chance at everlasting life, than sheer muscle. Immor-

tality is not promised by their Creator, to great men. Mere mind holds no passport to eternity. There is no limited express to Paradise for able people. Goethe, for being Goethe, is none the more likely to last forever. Frederica, so far as we can see, stands quite as good, or a better chance.

The law of spiritual selection would seem to be at once severe and delicate. The obscurest mother, transmitting a pure heart to her boys, never having heard of protoplasm, and knowing no philosophy beyond her prayers, may enter into this higher contention with an equipment which the discoverer of the missing link might envy. It is quite conceivable that the soul of a felon might survive the soul of a prince or a priest. The tests of the world fail. Fine causes, and finer sequences, enter the list. Who are we that we should win? What is our standard of success? What the temper of our weapons? We buy and sell, we woo and wed, we gain us a friend, or fame; and the stranger without our gates, or the servant under our feet, may be fighting for a soul's life where we are fooling with it, and may, therefore, be better worth life, and so the more likely to live. For law is but law, and spiritual law loses nothing of its grip for its gain in quality, and holds us none the less robustly because of a touch so velvet.

Suppose that this view be the true one. Suppose that he who wishes to live indefinitely, or always, is the subject of such law. Suppose that the complete and complex nature — physical, mental, moral, spiritual — becomes, by an ascending scale of strain, the soldier in such a strife. Suppose that the ultimate atom of the permanent individual may prove to be the vigor or the honor of his conscience. Suppose that from this, as, in the physical case, from the cell of the embryo, the life of what we call a soul evolves. Suppose that the development of this spiritual cell-life is, to the requisite extent, under the control of the human will. Suppose that this development is governed by a just, or even a generous relativity to the environment which spiritual science is not yet advanced enough to formulate. Suppose that the grandest work performed by the physical science of our times should prove to be its contribution to such a spiritual science, and that such a spiritual science is yet to become a matter of more orderly, more manly, and more nearly universal acceptance, than any form of religious belief detached from natural research is now likely to command. Suppose that the science of the soul

and the science of the rock find their common interpreter. Suppose that the revelation of fact and the revelation of faith are met together. Suppose that the progress of fact does not proceed, as Spencer would have it, from evolution to dissolution, but from evolution through apparent dissolution to real evolution; and that the splendid blossom of the greatest discovery of modern thought has as yet but begun to bud.

We ask for this aloe, precious and perfect, in the name of reason, that it may be rooted in the heart of the hope of everlasting life, for which it is our honorable service to contend.

We ask for this hope in the name of science, which has rendered unto nature the things that are nature's, but unwittingly unto God the things that are God's. The glory of the law moves on. The higher science has its prophets. Its scholars are to come. In an age when we are called upon to study "the sagacity and morality of plants," we may be justified in demanding an adaptation of scientific method to the fine fibers and hidden seed of the human spirit.

If these things be so, the mind is dazzled by the vision of those future types of which both faith and science promise us so much. To what refinement and enforcement the high organizations of this present life may rise, he only can intelligently imagine who has the student's lense and the believer's eye. What man may be a century or two hence, what the average of nature with which he must contend, what the ideal by which he shall achieve superiority, what, in short, the intensification of his entire form of strife with his conditions, it is only possible for us to guess by some conception of the fact of spiritual nature, and the nature of a science based upon that fact. What the select man, survivor of this or the future environment, may become in the life beyond, to what unimagined evolution he may be liable, through what supreme equilibration of power incapable of dissolution the rhythm of spiritual motion shall sweep him, who can say?

Once again. We have spoken of the love of life as one of the constituent elements of life; and, in this connection, we have observed that death sets in with the passion for death. It is reasonable to suggest that in the higher, as in the lower life, the analogy holds. In the strife for eternal existence, it may be true that the amount of contending desire represents the amount of contending power; that the love of eternal life, itself, bespeaks, to an extent, the capacity for it; that the instincts or

the impulses of belief are not without their significance, other things being equal, as salvable agencies; in short, that the longing to live forever not only carries with it the power to conquer the materials of duration, but indicates in a measure the force of the life-principle in the soul. A man may live forever because he loves his eternal life, and he loves his eternal life because he is to live forever.

If, on the other hand, death sets in with the passion for death, may there be a significance invisible and invincible as a zymotic disease, in the reluctance to conquer immortality which is sometimes cultivated either as a conscious whim, or a supposed sign of mental strength? Hume speaks, somewhere, of a "decline of soul." Side by side with what may be almost called devout unbelievers, we find men whose skepticism as to spiritual facts is a species of new game, a philosophical lawn-tennis, wherewith to pass life's midsummer; and over against these, we find others still, by whom dispute with supernaturalism is rated as a synonym for force of character, and cultivated as an egotism rather than a consecration. May there not be among these cases of spiritual suicide? Has he perhaps already begun to die in whom the tolerance of death is so indulgently regarded? Is his life-principle already vitiated who can so idly court results which a sound and sane soul-vigor should abhor? "Earnestness is the path of life," says the Dhammapada, "Thoughtlessness the path of death. Those who are in earnest do not die; those who are thoughtless are as if dead already!"

Experts will tell us with what firmness, yet with what tenderness, the suicidal impulse is treated in hospitals for the insane; how the unnatural passion for death is discouraged by exposing its unnaturalness, or by fostering the feeble love of life, if that be possible; how gently the nature is aroused against itself; how surgically the diseased conditions are handled, and how, upon the chance of the sufferer's recognizing his pathological position, and approaching himself as his own patient, all his hope of cure may hang.

It is by no means impossible that the suicidal nature of unbelief in a life to come, may yet find its soul-physicians in some psychological asylum of the future, wherein these diseases of the spirit shall be treated by a skill which must make our present methods of dealing with them seem, by contrast, like the blood-letting and strait-jacket, the dungeons and the chains of the Dark Age.

But once again: If these things be so, the familiar thought (even, as we have already seen, the familiar language) of the lower science has been the subject of a solemn unconscious selection in the service of that higher science of the soul to which we look.

In the struggle for immortality, the position of the individual holds a curiously interesting attitude toward the elevated nature of his environment. What is the insistence of individuality but the persistence of force? Or what its victory but a conservation of energy? What close economies there may be in spiritual agency, or what Law of Variation in spiritual inheritance, we know not. What is the protoplasm of spirit we can but guess. What supernatural selection may be at work upon us, we have yet to learn.

And yet again: Supposing there to be any value in these thoughts, they go toward proving the doctrine of the survival of the fittest a sublime and an inspired thing. If we have been thinking in the right direction, that is a doctrine which substantiates religious belief only less than religious belief substantiates it.

The revelation of nature and the revelation of the Word confirm each other as respects this stimulating conception of the human problem. The old urgency of faith and the new impetus of science move upon the same pulley.

Life is a proof of the power to live. Life is a proof of the qualification for life. We compete and strive, we yield or conquer, we adjust our individuality to our odds, we adjust our moral freedom to our individuality, we adjust our elemental love of duration to our moral freedom, and the lawful result abides. The spiritually weakest goes to the wall. The spiritually strongest conquers. He is the unfit who is beaten to death on the spiritual side of his nature. He is the fit survivor who saves his soul alive.

What manner of man may he be who shall be found capable of the final survival? Honest perplexity has its visions, and struggles toward them with noble discontent. Believing Christianity points to her Nazarene* and clings to the feet of the

* It will, of course, be remembered that our treatment of our subject has compelled us to dwell rather upon the law of God than the love of God; and that the ingenious tenderness of what Christians call their Gospel, constitutes an adaptation of supernatural science to natural helplessness which it is not our province here to elaborate.

sweet and solemn ideal which he has carved like a statue in the world.

Whether we have fixed our eyes upon the marble or the dream, the complicated nature of the struggle in which we are involved remains at least the one fact about which there can be no dispute. The finer we are, the more threads to our destinies. The stronger we are, the more strain upon our fiber. That first flaw of conduct which weakens our resistant power may find no steel fingers like those in the machinery of woolen-mills, which detect the defective threads and stop the weaving on the spot.

Supernatural selection has what may be called an artistic task in dealing with human character. The materials of duration may be found in mere morality, or a martyr's fate; they may pause at veracity or fly to aspiration; they may be sought in common humanity, or hide in exalted consecration.

Who shall say how the chance turns? At least, plainly, since law is justice, not against the paupers of heredity; not against the poor devils of the world as opposed to their betters. *Noblesse oblige* in the aristocracy of nature as in that of accident, and the highly-born may run the highest risks.

The man of many excellent qualities who protected himself at the expense of a woman — the woman of good intentions whose petty exactions defrauded a man of his best possibilities — might be beating the first retreat in the long struggle wherein the power of advance grows feeble faster than the consciousness of feebleness. The jocund entrance into the forest of worldliness, wherein, before we know it, the soul has lost the trail — the thin coating of social courage which we take for moral armor, when it may be only a species of metallic paint — the rust of selfishness wrought by sorrow or disease, and worn like an ornament by our unconscious vanity — might be the sign of the weakness which should defeat us in the ultimate struggle for survival, under some tremendous moral emergency, or crushing spiritual strain.

Our self-respect arises like a knight, "without fear and without reproach," to defend such a view of the appeal of human life to human strength. Magnificent and terrible that challenge!

Is a man to be the weak, the worsted, the defective of nature? Is he crippled, maimed, unable of soul? Shall he surrender his chance at continuance for some inefficiency of temperament, or flabbiness of purpose, or lack of moral gentility? Shall he yield

to that slight tendency to be satisfied with an undertone in ideals, which may be the first step toward spiritual discord that must resist harmonizing unless in finer hands than his?

Shall he narcotize the nerve, or loll away the muscularity of a soul that had fitness in its power and survival at its bid?

All that he hath, will he not give for his life?

ELIZABETH STUART PHELPS.

SOCIOLOGICAL FALLACIES.

In the extension of modern arts and industry the mass of mankind have been taught to expect comfort and ease, if not luxury. We boast so constantly of what we have accomplished in this direction that many believe we can do away with all hardship and establish universal well-being, if we choose. In our discourses, debates, and discussions we assume that the end for which society exists is the greatest happiness of the greatest number. It is laid down as an axiom of political science that political institutions should produce that result. Our philosophers encourage this doctrine and encourage the application to themselves of this test. It is, indeed, affirmed that our civilization is a failure because poverty continues to exist, and that a society in which poverty continues to exist is fit only to have "war" made upon it with fire, sword, and dynamite by any one who is still poor. Yet here is a plain question: Is there any other man in the world who is to blame for the fact that I am poor?

The triumph of civilization is in the fact that we are not all steeped in poverty and misery. The student of sociology is more and more appalled as he goes on gaining fuller knowledge of what the primitive condition of man was, and a more definite conception of what human life must once have been. A missionary who resided among the Fuegians heard a shouting often at sunrise. When he asked what it meant he was told: "People very sad; cry very much." This instinctive and childlike howling with which they greeted a new day of misery is the most pathetic, and, at the same time, most rational and fit manifestation which we should expect to find among such people. Why are any of us to-day better off than the Fuegians? Why are we not sunk in misery and squalor, and destitute of all things fitted to serve human need and raise men out of slavery to nature? The triumph of civilization is that all of us are above that stage, and that some of us are emancipated from poverty.

It is also asserted by some that there are men or classes among us who have no share in the gains of civilization. Such an assertion rests on a great misconception of facts. There is not a person in a civilized state who does not share in the inheritance of institutions, knowledge, ideas, doctrines, etc., which come down as fruits of civilization. We take these things in by habit and routine, and suppose that they come of themselves, or are innate. It would be one immense gain from the study of sociology if men should learn to know by what prodigious struggles all these things have been won. Every man in a civilized state inherits a status of rights which form the basis and stay of his civil existence. These rights are often called "natural." In truth they are the product of the struggles of thousands of generations. Men, before they were capable of reflection or had developed science, had but one process for learning: that was by trial and failure. They paid with their blood the penalty of all their mistakes, and the price of all their experiments which failed. Our inheritance of established rights is the harvested product of the few successful experiments out of thousands which failed.

If we turn to look at capital, the case is not different. Every item of capital is productive of utilities which are immeasurable in amount and broad in variety; only a few of the simplest of them can be appropriated by the man who "owns" the capital. A man who tilled the ground was already comparatively far up in civilization. He began with a pointed stick or the horn of an animal. By thousands of years of experiment and invention a spade was perfected. How can we measure the utility of a spade as compared with that of the pointed stick or the horn? That question would include the greater power of production of the spade and also the lessened pain and toil of the laborer. Now, if A owns a spade to-day, can he make B, who has none, pay him for the use of the spade an amount in any sense proportioned to the advantage of using a spade as compared with using a pointed stick? Certainly he cannot. Neither can A, if he keeps his spade, in any manner win by the use of it a superiority over his neighbors to be measured by the superiority of the spade to the stick. All but a small margin of the gains of civilization enters into a common stock which nobody can appropriate. They go to make up a kind of industrial atmosphere around every one born into the society. Though a man may never have handled a

plow, he gets his food under the conditions of a society which possesses plows. Another may never have handled a pen or a type, but he gets his reading matter under the same conditions as a man who has pens and types. The same is true of every item of capital. Knowledge of the facts of history enables us to see when we look at a coin, a knife, a lead-pencil, a match, a book, a lock, a coat, the product of thousands of generations of tireless efforts to serve human needs more completely and easily with the materials offered by the earth.

What we might call the metaphysical side of capital is its most important side in the history of civilization. Every bit of capital presents devices, methods, processes, which are of general application. If one of us has a task to perform he unconsciously begins to review the various processes or devices with which he is familiar, to see if he cannot employ one of them. Springs, catches, levers, cams, etc., are presented to us all the time in capital which we do not own. The devices are available for new applications. He who owns the capital cannot appropriate those. His use of capital is only the most primary and simple of all the utilities which it offers, and he cannot get out those utilities without entering into coöperation and exchange with his neighbors through which they share the primary utilities. It is interesting to watch children at play, to see the uses to which they put their toys, the combinations, plans, devices, and processes which they will work out; to notice how they use what they have seen, how they collect experience of the qualities of substances, how they bring all their knowledge to bear; and to reflect that they possess at five or six years of age a store of facts, knowledge, skill and the like which it cost the human race thousands of years to accumulate. Most grown people use the products of civilization as unconsciously as children, and as much by habit and routine; but it is monstrous ignorance, when the point is raised for discussion, to affirm that some now do not share in the fruits of civilization.

If any one is still unconvinced of what I have here said, let him try to cut down a tree with a flint hatchet, or to produce fire with a fire drill, or to grind corn with one stone rubbed on another. Intense labor kept up over a long period was the price of everything to the primitive man; that is, he worked very hard and got very little. If a modern hod-carrier had to work a fire drill until he got a light, and if he could then strike a match to

get another, he would see whether he had any share in the fruits of civilization.

The sentimentalists sometimes bewail the loss of skill due to machinery and division of labor. The fact is as alleged, but it dates from a point much further back than the factory system. It dates from the dawn of civilization. The primitive man developed great skill of eye, hand and ear, because his tools were so poor that the wear all came on his nerves. He could accomplish nothing unless his skill was high. The man, for instance, who had to fashion a flint axe by flaking off pieces under great pressure must either work very long and spoil a great many or be very skillful. When he came to bore a hole in it with a piece of horn, some sand and water, he must work long, skillfully, and with a true eye, or he would spoil his whole work. A Swiss anthropologist has made a stone axe, with such tools as a primitive man possessed, polished but not perforated, in five hours and forty minutes of working time with intervals of rest. As tools have been perfected, men have put the work on the tools and spared their nerves. Take, for comparison, the manufacture of a modern axe, which requires more skill than many modern processes. In saving skill we have saved men. The division of labor does not probably lessen skill, but it concentrates it in narrow lines, and produces routine and monotony. Poetry is what really suffers, but the loss is more than compensated for by poetry in literary and other purer forms. We can spare poetry from industry when we have literature, drama, or art, just as we can afford to use bolted flour when we have a meat diet.

Another notion for which there is no foundation in fact is that there was more liberty in early ages of the world or in simpler societies than there now is; that is, liberty in the sense of freedom from restraint upon choice or caprice. The primitive man had no liberty in this sense or any other. He was a slave to nature, and that meant that he was in continual terror before dangers which he did not know, could not measure, and could not guard against. All that we learn of primitive races shows us that nature is appalling to them. They have intelligence enough to believe more and fear more than brutes. If we look at their social regulations we find that these fetter the individual in relentless traditions and rules. The impulsiveness, waywardness, and self-will of the savage are delusive if they are regarded as manifestations of liberty. The development of in-

dividual liberty, and its reconciliation with social order, is one of the grandest of those developments of original antagonism into ultimate harmony which go to make up civilization. We have not, however, by civilization emancipated individual choice and caprice. The civilized man has won the social harmony by submitting to orderly and regular industry, under which a savage would pine and die just as surely as a cotton operative would perish in Patagonia or Greenland.

Now, the achievements of the human race have been accomplished by the élite of the race. There is no ground at all in history for the notion that the masses of mankind have provided the wisdom and done the work. There are, in this whole region of thought, a vast mass of dogmas and superstitions which will have to be corrected either by hard thinking or great suffering. A man is good for something only so far as he thinks, knows, tries, or works. If we put a great many men together, those of them who carry on the society will be those who use reflection and forethought, and exercise industry and self-control. Hence the dogma that all men are equal is the most flagrant falsehood and the most immoral doctrine which men have ever believed. It means that the man who has not done his duty is as good as the one who has done his duty, and it takes away all sense from the teachings of the moralists, when they instruct youth that men who pursue one line of action will go down to loss and shame, and those who pursue another course will go up to honor and success. It is, on the contrary, a doctrine of the first moral and sociological importance that truth, wisdom and righteousness come only by painstaking, study, and striving. These things are so hard that it is only the few who attain to them. These few carry on human society now as they always have done.

Hence we see that so soon as the exigencies of life are felt, men are differentiated according to their power to cope with them into "better" or "worse" with reference to personal and social value; and as soon as any conquest is achieved which contributes to civilization, the inequality between the men who won it and those who did not win it is established as a positive fact. Men are very unequal in what they get out of life, but they are still more unequal in what they put into it. The most unequal bargain has always been made by the men who have done the world's thinking for it.

In nothing have we, as yet, made so little progress as in the art of civil government, or, more generally, in our political or-

ganization. We have abandoned hereditary government because we regard it as illogical. It affords no guarantees that fit persons will hold power. It is stable, but it is not flexible or plastic. Have we, however, as yet produced political methods under democratic-republican government, which afford us any guarantees that fit persons alone will obtain power? It is very certain that we have not done this. We do not fear for the stability of the civil organization. We desire flexibility and plasticity, but if we have lost the notion of fitness altogether, and are irritated by it when it is brought to our notice, we have made no step in advance.

The fact is, that the vague encouragement which has been given, for a century, to impossible dreams and senseless ambitions has produced social problems with which our sociology is in no position to cope. How far we are from it may be judged when we find it asserted that the end of society is justice. To ask what is the end of man, or society, or the earth, is to put a teleological or theological problem. Such a problem has been discussed in regard to man. If it has ever been discussed in regard to society, it is at least new. It is also idle. The scientific view of the matter is that a thing exists for reasons which lie in its antecedents and causes, not in its purposes or destiny. Human society exists because it is, and has come to be on earth because forces which were present must produce it. It is, therefore, utterly unscientific to regard man or society as a means to any further end. The state exists to provide justice, but the state is only one among a number of social organizations. It is parallel with the others, and has its own functions. To confuse the state with society is to produce a variety of errors, not the least of which is to smuggle statecraft into political economy. It is plain that, until such sources of confusion are put entirely beyond the pale of social discussions, our social science cannot make very rapid progress. The sources of confusion lie at the very beginning, and they vitiate our political economy and political science into their remotest developments. An attentive study of any of the current controversies will show that they arise from fundamentally confused or erroneous notions of society, and they cannot be solved without a rectification, on a scientific basis, of our data and our doctrines about human life on this earth.

W. G. Sumner.

THE RISE AND FALL OF AUTHORITY.

ONE of the clearest expositions ever made of Reason and Authority in relation to problems of being and thought is that which comes down to us from the vestibule of the mediæval scholasticism, from the very heart of the Dark Ages, the middle of the ninth century, in the time of Charles the Bald and of Pope Nicholas I. It was then that John Scotus Erigena in his "De Divisione Naturæ" taught that while the authority of Holy Scripture, as the revelation of eternal truth, must be held immovable, the exegesis of Scripture depends on the conjoint forces of both reason and authority, and that in the composition of these forces we must have regard to the priority of the one in dignity and of the other in time. In point of dignity, reason, he says, stands before authority, but in point of time authority comes before reason. The superior dignity of reason is argued by him from the fact that authority itself proceeds from reason, not reason from authority. But as authority, working in time, gathers up in its bosom the reason of those who lived before us, what is prior in time becomes the guide of that education by which we are brought to the adult use of reason, in the rightful exercise of which we review the grounds of authority. In the last analysis, therefore, for those who, by reason of use, have their senses exercised to discern both good and evil, the binding force of all human opinions must be found in reason, not in authority. True authority, says Erigena, is commensurate with right reason, and right reason with true authority. Authority is, indeed, the vital air in which we live and move and have our intellectual being, but it is in the critical function of the reflective reason that we must find the organon by which knowledge grows in volume and lucidity — the great heart by which, with its successive systole and diastole, the blood in our brain is kept from degen-

erating into a thin and watery ichor. Authority is in order to reason that reason may itself become authoritative; reason is in order to authority that authority may itself become rational.

It is the purpose of this paper to exhibit the perpetually alternating constriction and dilatation which have kept the life blood of the intellectual world in healthful circulation. That is, authority will here be considered not as the objective rule of life and conduct, but as the subjective norm and modulus of opinion in the school, in the state, and in the church. And if in this historical discussion it shall appear that authority has often held the flux of opinions within the channels cut by tradition, it will also appear that the stream of tradition has itself been caught from age to age within the "compulsive course" of the restless human reason.

The great founders of philosophies and theologies, like the founders of civil polities, have enjoyed in every age of the world a natural right of leadership, as seen in the fact of their leading; but those who come after them, receiving the tradition by inheritance rather than natural right, may assume to wield by authority the scepter which was won by reason. It is thus that authority *de facto* comes to be translated into authority *de jure*. Authority resting on living facts and living functions has no need to assert itself. Its sufficient *raison d' être* is seen in its being. But the authority which rests on obsolescent facts, or on functions beginning to slough off in the structural changes of human thought, is precisely in the stage when it will be more than ever tempted to exalt the horn of its prerogative.

All the great philosophies and theologies of human invention have passed through three stages — the stages of formation, of organization, and of disintegration. It is in the second and the third of these stages that authority will deepen the purple of its laticlave and broaden the stripe of its phylactery. On the first emergence of a new doctrine, it works according to the spirit and power which are native to it, but after it has come to dominate over the minds of men it adds the prestige of magistrality to the prestige of its ideas. The very power which is native to it, if that power be considerable, tends to create a natural vortex for it in the atmosphere of public opinion, until at length, like Fame in the epic of Virgil, it acquires force by going. And the degree of force acquired by opinions through increase in the velocity of their transmission and increase in the mass of their adherents,

will measure at any given period the momentum of their authority. So long as a doctrine spreads by simple virtue of the expansive energy inherent in it, or so long as the vortex which it creates in the public mind is genuine and not factitious, the doctrine is in the formative stage of its working on society. But if the doctrine is committed to the tradition of a sect, party, or school, we may soon expect to witness the intrusion of other than the purely original sources of its strength. It will proceed to add the weight of unreasoning authority to the weight of its proofs, as the Pythagoreans did with the "He said so" of their master, and as Cicero did with his "By Hercules! I would rather be wrong with Plato." In the first of these stages the elements of opinion are free, fluid, elastic, and spontaneous in their reactions; in the second stage the elements are growing constrained, rigid, immobile, mechanical. In the first stage the doctrine is positive and aggressive; in the second stage it is negative and defensive. In the first stage it is full of life and has no use for health-lifts; in the second stage it is growing valetudinarian, plugs its windows, and shrinks from the blasts of the misty mountain wind.

Next comes the third stage, the period of decomposition and recomposition, when the old forms, subscriptions, and articles of a creed in philosophy or religion are found inadequate to hold the new thought which is seething in the minds of men. Judaism was found in this stage when the Teacher of Galilee came in the fullness of time to substitute spiritual Christianity for Pharisaic formalism and Sadducean skepticism. Feudalism was found in this stage when a new social life in Europe began to crystallize around the free communities of Italy and the free towns of Germany. The Mosaic law was discharged of its divine authority because of its weakness and unprofitableness after it had fulfilled its mission. Feudalism was discharged of its human authority after it had spent its strength as a constructive and conservative force. Things divine and things human are embraced within this dispensation of the fullness of times.

It is, however, the lesson and moral of universal history that when authority has once concreted itself in the form of a doctrine, a theology, or a ritual, it tends to outlive the period of its usefulness. It is thus that the Scribes and Pharisees continued to sit in the seat of Moses long after they had made his law of no effect by the vain traditions of the Jerusalem and Babylonian

Talmuds, and they were never so blatant as in the day when a new order of beatitudes, a new conception of morality, and a new theory of life were proclaimed in the Sermon on the Mount. The cosmological theories of the Platonic philosophy had survived their period of usefulness when the Platonizing Christians of Alexandria were vainly laboring to bring the Timæus into harmony with the Book of Genesis. The entire philosophy which passes under the name of Neo-Platonism is the child of authority striving to construe itself in the presence of rival systems — of Jewish philosophy running down to its dregs in the theosophism of Philo, and of Christian philosophy in the first crude fermentation of the new wine which had come to gladden the hearts of men. The polytheistic mythology of Rome had become nothing better than a painted corpse when its professional mourners, in the days of St. Augustine, were complaining that the old literature, the old art, and the old polity, as well as the old religion of the Roman Empire, had been destroyed by the new Christian cult which Tacitus in his day had denounced as an *exitiabilis superstitio.* It is because the authority of the Roman civil imperialism survived the period of its usefulness, that it fell a lingering prey to the wiser and better imperialism of the Roman Catholic hierarchy, when that hierarchy came to build the Papacy on the ruins of the throne of the Cæsars. It is because the authority of the mediæval hierarchy outlived the period of its usefulness in affairs of state, that laymen wrestled long with papal legates and Cardinals before they won control over the politics of the civilized world. It is because the old scholasticism with its strife of words had finally sharpened the minds of men into a perception of its own unprofitableness, that that system of verbal philosophy, which did good service in its day by clarifying the doctrine of concepts and purifying the language of science, was forever relegated to the dust-bin of history at the Revival of Learning. We can always see in the mere attitude of the philosophical teacher whether he is drawing new truth from the perennial springs of the human reason, or whether, with force-pump and piston, he is lifting still waters from one or another of the great reservoirs into which the human spirit has poured its choicest thought and speculation. When an old philosophy or institution is so far put on the defensive that it begins to justify itself in the terms of a new philosophy or of a new social movement, that is a pretty sure

sign that the old order is changing to give place to the new. It is plain that the authority of Platonism is beginning to suffer eclipse when its putative disciples, in the third century after Christ, are more solicitous for the invention of philosophical harmonies than for the discovery of the new Christian truth. It is a sign of changing lunations in the phases of faith when, with or without our telescopes, we can see the new moon "wi' the old moon in her arms."

In all the lunations which mark the revolutions of authority there has never been one so full of portents as that which dates from the Revival of Learning. The Renaissance, with the discoveries which followed in its wake — the discovery of printing, the discovery of the New World, the discovery of the Copernican theory of the solar system — has been aptly called by Michelet "The Discovery of Man." The children of the New Birth begat a new species of authority — the authority of Humanism — and installed that authority in the fore-front of their age. The quest for parchments and palimpsests became more eager than ever had been the quest for the bones of saints. Students took their seats at midnight on the Esquiline Hill to make sure of the early morning lecture on Virgil. Scholars changed their names in learning as monks and nuns changed their names in religion. Sanseverino becomes Julius Pomponius Lætus in Latin, and Schwarzerd becomes Melanchthon in Greek. "Grey-headed men went to school to study Cicero and Homer. Athenian and Roman costumes fluttered through the streets and salons of Paris. A Macedonian phalanx was enrolled out of the French army, and, at the approach of death, learned men imitated the dying declamations of Cato and Antoninus." This was the stage of classical enthusiasm. Next came its stages of degeneration, as seen at first in "Ciceronianism," then in the classical dilettantism and affectation which have left their echo in the Gongarism of Spain, the *préciosité* of France, the Marinism of Italy and the Euphuism of England. The new social power had developed a new hypocrisy in homage to its authority — the hypocrisy of learning.

How the church had at first favored the new learning, is written in the mere chronology of the great universities of Europe, nearly all of which were planted before the era of the Protestant Reformation. How the new learning became a constant source of doctrinal trouble and theological schism,

is written in the history of the ecclesiastical councils, called again and again to settle by the voice of authority such disputes as those which vexed churchmen and scholastics in the days of Abelard and St. Bernard. How in the person of obscurantist friars and Dominican inquisitors the ecclesiastical spirit turned for a time against the study of Hebrew and Greek, is written not only in the "Augenspiegel" of Reuchlin, and in the broad satire of the "Epistolæ Obscurorum Virorum," but in the early history of the revival of Greek and Hebrew studies in Germany and England. And how this opposition, in spite of its narrowness and acerbity, may have been often inspired by a sincere love for religion and morality, is written for candid inference in those disgraceful annals of the Renaissance which record the boundless egotism and the boundless profligacy of the later Humanists, who converted the Revival of Learning into a revival of paganism. The outcome of the new authority had resulted, as one of its modern apologists confesses, in a wholesale and undiscerning prejudice in favor of Greek and Roman antiquity, in the social and political success of the most unscrupulous talent, and in a general disbelief of all Christian doctrines, because of the discovered falseness of much that passed for orthodox church teaching and practice.

But Humanism interposed a counterpoise to church authority in the intellectual realm alone. Its social, moral, and religious effects were incidental. It remained for Luther to erect a counterpoise avowedly in the domain of religion and morals. The Humanists had turned their backs on the old religion in the name of books—the humane letters of Greece and Rome. Luther turned his back on the old religion in the name of a book — the Bible as by him expounded. And from the date of the Lutheran Reformation down to the present time, the doctrine of church authority in matters of faith and morals has suffered bifurcation and has steadily set in two different directions; as seen, on the one hand, in the affirmance of an infallible hierarchy divinely commissioned to be the judge of religious truth, and, on the other hand, in the affirmance of an infallible book, divinely appointed to be the test of all religious opinions, not excepting those of ecumenical councils; and this book open to private interpretation under the divine guidance promised to all true disciples. It is no wonder, therefore, that Catholic theology has finally elaborated the former theory into the dogma of papal infalli-

bility, and that Protestant theology is still elaborating a final theory of inspiration; for, in working on these separate lines, the defenders of each faith have been laboring for the clearest possible definition of the doctrine which is seen to be for each the doctrine of a standing or falling church. And truth has always been the gainer by clearness of definition, though authority has often been the loser by it. The mechanical theory of verbal inspiration gained clearness of definition in the days of Buxtorf and Owen, but the authority of that theory suffered when, on the strength of it, those eminent divines undertook to deny such a plain historical fact as the post-christian origin of vowel points in the Hebrew text of the Old Testament. The theory of an objective infallibility has gained clearness of definition by the decision of the Vatican Council, but whether the Catholic Church will gain in respect of its authority by the clearness with which it has defined the seat of infallibility, must depend on the use that shall be made of that infallibility for the superhuman enlightenment of the Christian world. So long as infallibility was supposed to require for its enunciation a vast ecumenical council gathered from the four corners of the earth, it was not easy to invoke that supreme arbitrament for the ascertainment of religious truth. But this difficulty vanishes in the presence of the Universal Pastor, charged with divine authority to settle *ex cathedra* any and all questions of faith and morals pertaining to the universal consciousness of the church. If the authority is not to be used at all, or if it is not to be used when it is most necessary, a cloud will rest on its title. For instance, in the matter of M. Renan's recent cavils about the book of Judith, declared by the Council of Trent to be an inspired book, it surprises us to learn from Cardinal Newman that "his charges can neither be proved nor refuted just now, while the strange discoveries are in progress about Assyrian and Persian history by means of the cuneiform inscriptions."* And it does not help us to be told, as he tells us, that "when the need comes the church or the Holy See will interpret the book for us," because the need is greatest "just now" when the darkness is thickest. When the question shall have been settled, in the one way or the other, by the process of discovery in the cuneiform inscriptions or otherwise, there will be no need for the intervention of the Holy See.

*"The Nineteenth Century," for February, 1884.

And with the reserves thus put on the dogma, making it in its exercise a function of time and human history, the objections to it are reduced to a minimum, because the doctrine itself is reduced to a minimum as respects the discovery and definition of theoretical religious truth, and finds its congenial sphere in the prescription of practical church order and discipline — matters in which every church has a final authority of some kind.

For the student of history the strife of tongues between Catholic and Protestant has lost much of its bitterness, as well it might when the Catholic of to-day, standing in the presence of modern society with the Syllabus of Pius IX. in his hands, is more protestant than the Protestants, and when the Protestant of to-day, standing in the presence of Universal Christendom, is more catholic than the Catholics. And surely the Catholic who would renounce his obligations to Protestantism must first forget the *deliquium* from which his church was rescued by the reactive force of the Lutheran Reformation with all its limitations, as the Protestant of to-day who would renounce his obligations to Catholicism must first forget the hole of the pit from which the moral order of Europe was dug. And if Christianity is weakened by the schism, it should now be tolerably clear to both Catholics and Protestants that the church will not regain its unity by authority, but will regain its authority by unity.

For in the meantime a new authority has arisen to challenge the standing of both Protestants and Catholics in the field of faith and morals — the authority of modern science which, in the person of many among its typical votaries, has assumed to bring all religion and the whole doctrine of morals within the domain of purely natural and evolutionary processes extending from moner to man. The profession of modern science has become in the devotion of its disciples a great cult, in the scope of its teachings a great propaganda, in the number of its adherents a great fellowship with its visible and invisible communion; with its patriarchs like Roger and Francis Bacon, with its saints like Newton and Kepler, with its great high priests like Comte, with its star-eyed expositors like Darwin, with its apostles like Tyndall, with its warrior bishops like Huxley, with its fiery crusaders like Haeckel, with its systematic doctors like Herbert Spencer, and (proof above all of its authority) with its untonsured monks like Fielding Meek in the solitude of his cloister telling off fossil shells

for the beads of his rosary. Science sits to-day in the highest seat of secular authority, and in passing sentence of excision on unscientific opinion, the only heresy it knows, it makes the little finger of its authority thicker than the loins of theology. Clothed with this secular authority in the eyes of the people, it has, of course, the defect as well as the virtue, the weakness as well as the strength of its high prerogative. Its strength is seen in the conquest it has made over nature and thought in a thousand directions. Its weakness is seen in that invariable concomitant of all high authority, a disposition to set up its flag over more territory than it holds, and to supplement *de facto* achievement with the *de jure* pretension of unproved hypothesis. And so it comes to pass that much pseudo-science is easily floated to-day on the strength of the authority of science in general, as in "the ages of faith" much pseudo-religion was carried along by the current of the popular credulity, and as in the days of the early Renaissance much pseudo-learning came to the foaming surface only to sink like lead in the waters of oblivion. Cosmogony is just now the reigning foible among those who have small knowledge and less science.

It appears from this review that the volume of authority in the world has been constantly increasing in mass while constantly changing its form, and that in this increase of mass and change of form there has been a gradual but steady differentiation in favor of truth as well as lucidity. For this purification of method in every department of thought the world is mainly indebted to modern physical science, and no department has gained more by the clarifying process than the domain of theology. It is not that physical science is averse to authority, for more than almost any other study it lays its very foundations in authority — but in proved and verified authority. Tolerant of conduct, physical science is utterly intolerant of all opinion which impinges on its proved and verified authority. "There is no liberty of conscience," exclaims Comte, "in astronomy, in physics, in chemistry, even in physiology, in the sense that every one would think it absurd not to accept in confidence the principles established in those sciences by the competent persons. If it is otherwise in politics, the reason is merely because, the old doctrines having gone by and the new ones not being yet formed, there are not properly during the interval any established opinions."

Opinions establish themselves slowly in physical science. They establish themselves still more slowly in theology, because the problems with which it deals are not only more obscure but more complex, involving the will as well as the intelligence of men. If, as has been said, "Religion and Science set up in opposition to each other at the Revival of Letters," it is only what Religion and Philosophy did in the days of the early church fathers, yet religion ended, as everybody knows, by making Aristotelianism the very organon of theological definition from Anselm to Luther. If the Humanists put Cicero before St. Paul, and Seneca before St. John, the language of Cicero and Seneca has become to-day the very propædeutic of theology. If the Hoogstratens and Pfefferkorns of theological obscurantism set their faces like flint against the new learning at the beginning of the sixteenth century, they did but pave the way for Luther. If to know Greek in the days of Erasmus was, as he tells us, to be suspected of heresy — "hæresis est polite loqui, hæresis Græce scire" — it is to others than tonsured monks that we must look to-day for the disparagement of that "college fetich." So great have been the shiftings of authority that it is in the name of physical science and not of theology that the classical culture is put on the defensive in this modern age.

There are those who predict that Theology and Science are gathering their forces for some hard-fought Armageddon in the near or distant future. It is not on any plain of Esdraelon that the conflicts of free inquiry are to be settled, but on the broad fields of universal history. It is not by the shock of battle, but by the slow percolation of ideas through the strata of sects and parties and schools in the tract of the ages that the authority of opinions is finally made commensurate with their proved and demonstrated truth. It is in this way, says Cardinal Newman in his classical book on the "Development of Christian Doctrine," that all the great fundamental questions of theology were settled at the commencement of the Christian religion — questions as to "the canon of Scripture, and its inspiration; that is, whether Christianity depends on a written document as Judaism; if so, on what writings or how many; whether that document is self-interpreting or requires a comment, and whether any authoritative comment or commentator is provided; whether the revelation and the document are commensurate, or the one

outruns the other." All these questions, he adds, "find no solution on the surface of Scripture, nor indeed under the surface in the case of most men, however long and diligent might be their study of it. Nor were these difficulties settled by authority, as far as we know, at the commencement of the religion; yet surely it is quite conceivable that an Apostle might have dissipated them all in a few words, had Divine Wisdom thought fit. But in matter of fact the decision has been left to time, to the slow process of thought, to the influence of mind upon mind, the issues of controversy and the growth of opinion." If this process was divinely wise for the early age of the church it is probably divinely wise for the church in all ages.

Authority in science changes, but science remains. Authority in theology changes, but theology remains. Science changes, but nature remains. Theology changes, but the fundamental truths of Christianity remain forever the same. And thus it is that, in and under this constant evolution, all history bears its testimony to the saying recorded by Bacon: "Truth is the daughter of Time, not of Authority."

JAMES C. WELLING.

WALT WHITMAN.

TEN or twelve years ago I read in an English magazine a review of Walt Whitman's "Leaves of Grass." It contained several selections from the book which induced a feeling of utter bewilderment. Since that time I have read sundry other compositions of the "good gray poet," and always the effect has been the same. As one stumbles through the uncouth chants, the mixed metaphors, the hirsute style, the ragged similes, and the rickety grammar of the "Leaves of Grass," he begins to feel that he is lost in a wild jungle, and must trust to luck to get out. The ordinary compass will avail him naught. The poet must be judged by none of the received standards.

In a recent issue of a New York journal, Walt Whitman casts a backward glance on his own road. Even in this sketch, it is no easy task to divine what he is driving at. His vagueness of style and elusiveness of thought pervade even this prose article in which he endeavors to set forth some of the motives and theories involved in his "Leaves." Criticism on that extraordinary production has taken the shape of indiscriminate eulogy, or has confined itself to a condemnation of the glaring vulgarity of the book. This general arraignment of the work for its immorality has probably been the cause of its sale. Let it be announced that the author has expunged from it all the unseemly passages, and he will find that it will very soon die. Walt Whitman has been chanting his own praises so long, and has made such noisy claims for his writings, that a criticism of his "Leaves" may not be untimely. There is still considerable curiosity about him and his book, and some sort of settled opinion should be reached and a verdict pronounced upon the worth of his alleged poems. If they are rubbish, it is well enough to say so.

In his latest article Mr. Whitman says:

"Many consider the expression of poetry and art to come under certain inflexible standards, set patterns, fixed and immovable, like iron castings.

To the highest sense, nothing of the sort. As, in the theatre of to-day, 'each new actor of real merit (for Hamlet or any eminent *rôle*) recreates the persons of the older drama, sending traditions to the winds, and producing a new character on the stage,' the adaptation, development, incarnation, of his own traits, idiosyncrasy, and environment,—'there being not merely one good way of representing a great part, but as many ways as there are great actors,'—so in constructing poems."

There are certain inflexible standards for fine art and poetry as well as for the stage, and the wings of genius have never lagged because of them. An actor recreates Hamlet by his personal magnetism, his subtler grasp of Shakespeare's meaning, his finer mastery of motives underlying the character, and his ability to project an animated, picturesque portraiture upon the sensibilities of the audience. Suppose, however, he undertook to play the part in a cutaway coat, a plug hat, corduroy trowsers, and green stockings; suppose he interpolated modern "gags" in the soliloquies, or recited "To be or not to be" while standing on his head! He would be original, but intolerable. However great might be his genius, however fiercely he might cast stage traditions to the winds, there are certain standards he could not destroy. He would have to preserve the dignity of the character, its psychological prominence, its intensity, and its morbid intellectuality. In literature it is the same. Standards of some kind must ballast the writer, or he may go on to Ursa Major. There are two kinds of literature,—prose and poetry; and, as Monsieur Jourdan says, everything written is either one or the other. Unless some kind of metrical arrangement is observed by a writer, then his production is prose. Emerson is allowed to diverge widely from ordinary rhythm, but no one doubts that he has written poetry. Whitman claims that his "Leaves" are poems, using the word in the old Greek sense, probably. It is hard to admit that the "Leaves" are either prose or poetry. Nothing but a purgatory of their own is adapted to their reception. They are literary mermaids, without the legendary interest associated with those mythologic characters.

But Mr. Whitman says "no one will get at my verses who insists upon viewing them as a literary performance, or attempt at such performance, or as aiming mainly toward art or æstheticism. I hope to go on record for something different—something better, if I may dare to say so." No one is likely to insist that the poet aimed very sedulously at art; but if "Leaves of

Grass" is not a literary performance, what is it? It is surely not a scientific treatise nor a passage of music. It is a literary work, and when Mr. Whitman does not want it judged as such he appears in the part of the man endeavoring to escape the issues he himself has forced. There are curt, balky, uneasy writers who bring us divine messages in their ungraceful way; they leave with us burning thoughts leading to higher resolves and splendid aspirations. Their style may be deplorable, but we understand them. We know that they bear a message to us, and do not expect from them facility of verse or even pliancy of language. Their meaning is clear, their thought sharply outlined, their purpose tangible and coherent.

Is Mr. Whitman such a writer? Most assuredly he is not. While it would be unfair to him to judge his work by the "set patterns," it is certainly allowable to look at it from the standpoint of common sense. We have a right to insist that all reputable work shall have a meaning, and it is permissible to criticise its aim, to show where it has failed or succeeded, to point out its beauties or its defects. It is true that the violet-ink novelists, like Howells and James, decry all purpose in literature; but their own productions are sufficient refutation of their theories. The man who writes or acts without a purpose is a fool.

What is the *raison d'être* of "Leaves of Grass"? Has the author ever stated in intelligible English the purpose of his book? Is its aim moral, political, scientific, æsthetic? Is it written in the interest of democracy, or of the intellectual classes? Very likely its author would claim that its purpose is collective. Has it inspired any one with greater love for humanity; has it caused the torch of patriotism in the hand of any individual to burn the brighter; has it lifted a single soul from its despair; has it brought sunshine to any heart; has it given new hopes; has it sweetened religion; has it encouraged science; has it given new wings to the imagination; has it led the intellect into new paths of light and knowledge; has it cleared up any of our doubts or thrown the slightest ray of helpful light upon our questionings? If it has done none of these things, the reason of its being is not apparent.

But, some of Mr. Whitman's admirers say, it is written from a democratic stand-point. If this is the case, the people ought to be able to understand it; but the ordinary man would regard "Leaves of Grass" as the production of a maniac. Only the

"gifted few" can discover any sense in "Leaves of Grass"; and what particular message they get from it is past the comprehension of one of the ungifted many. The work, of course, is defective in its literary form. Even its author admits that. Moreover, it has the faults of bad grammar, incomplete sentences, misuse of words, and incoherence of ideas. There is about as much consecutiveness in the "Song of Myself" as there is in a dream originating in too much shrimp salad for supper. A transcript of the dream would be as valuable as the "Song of Myself."

Mr. Whitman says that "the volumes were intended to be most decided, serious, *bona fide* expressions of an identical individual personality — egotism if you choose, for I shall not quarrel about the word." In this connection, Mr. Whitman quotes a saying of Carlyle's, that "there is no grand poem in the world but is at bottom a biography — the life of a man." It is noticeable here that Carlyle does not say an autobiography. Mr. Whitman is mistaken. The "ego" is usually voted a nuisance in fiction and works of imagination. And it is just as well for us to continue setting down as a vain and disagreeable fellow the man who speaks always of himself as if he were the universe. Egotism hardly does justice to Mr. Whitman's condition. It should be termed the delirium of self-conceit.

The "Song of Myself" is probably a fair sample of Walt Whitman's style and purposes, and there is no injustice in judging him by it. If the critic or the laborious reader were to devote himself to this "poem," what would he find in it? I will attempt a partial summary of it. He begins by saying "I celebrate myself and sing myself." After celebrating and singing himself, he continues: "I loafe, and invite my soul." We may define him then to be a sort of loafer-poet. Having shown that he is not too much of a loafer to be a poet, and *vice versa*, he continues: "I harbor for good or bad. I permit to speak at every hazard nature without check, with original energy." In other words, he erases the words restraint, modesty, and shame from his vocabulary, and drops the distinction between decency and indecency. He would confound all our previous conceptions of good and evil; and, if his theory were carried out, where would be maidenly modesty and youthful delicacy? He might as well contend that everybody should forswear clothes and strut about *in puris naturalibus*. The poet begins his pilgrimage in houses full of fragrance;

then he goes out in the air to the bank by the wood and becomes undisguised and naked. "I am mad," he says, "for the air to come in contact with me." This is the language of the lunatic asylum rather than that of poetry. Then follows an enumeration of abstract and concrete things, about which he predicates nothing. It reminds one of the negro's story of the storm that blew down the house but left the roof standing. The poet fails to provide an adequate support for his words, but leaves them suspended in mid-air. After he has made mincemeat of these barbaric phrases, he says: "Stop this day and night with me, and you shall possess the origin of all poems." In the phantasmagoria that follows, if the reader can discover the origin of anything, he is entitled to it. Whitman continues:

> "There was never any more inception than there is now,
> Nor any more youth or age than there is now;
> And will never be any more perfection than there is now,
> Nor any more heaven or hell than there is now."

This is the climax of nonsense, and carries one back to the alleged philosophers who claimed that motion was an impossibility, and pain a myth. What becomes of evolution, progress, civilization? There could be no more depressing belief than this, for it means nothing but universal death. Fortunately, it is disproved by science, by history, and by religion. After winging his way through another space of inky obscurity, the poet says: "The unseen is proved by the seen, till that becomes unseen and receives proof in its turn." Now what does this mean? He starts out with the seen, which needs no proof, and establishes from it the unseen. So far, it is clear; but now the seen becomes unseen, and receives proof in turn. Proof of what? That it is unseen. The necessity for proving the unseen is not apparent. If the poet intends to convey the idea that there is an invisible order of things, an unseen universe, why does he not say so? And if he did, it is not a matter of proof or demonstration, but of hope and conjecture. His dictum is mere verbal jugglery.

The poet then exalts his body, and this physical delirium runs all through the song at intervals; but there is no new and divine message here. The doctors tell us that the body is not vile, nor any of its parts; and when a genuine poet called it the temple of God, he said all that was necessary to say concerning

it. Whitman "believes in the flesh and the appetites," meaning libidinous desire. In this respect he is not unlike the libertine. Indeed, this "Song of Myself" is the chant of the *roué*. Resuming, he enumerates the people around him, the events happening about him, the battles, the feelings, anything and everything that chances to run in his mind, and concerning them all he says:

> "These come to me days and nights, and go from me again,
> But they are not the Me myself."

Has this passage any meaning? Whitman says he is not a battle, or a fever, or a dress, or a dinner, or a compliment. Neither is he a pancake, a turnip, or a sardine. If he means that his soul stands apart from and uncontrolled by matter, why does he not say so? If he means the contrary, why not say so? If he means that he is a mere isolated spectator of human events, is it not easy enough for him to make his meaning clear to the average intellect?

Then he announces to his soul that he believes in it, and goes on to chant: "Loafe with me on the grass, loose the stop from your throat," etc. Naturally, one would infer that he was still addressing his soul. If so, he becomes ridiculous; for he gives the soul a throat and a voice. When we read farther we find he is addressing some one else, but whom we cannot divine. He says:

> "I mind how once we lay, such a transparent summer morning," etc.

The matter that follows is too vulgar for quotation. The passage is simply nauseating and devoid of sense.

The next incident is a child's bringing him a handful of grass, and asking him what it is. Of course, he does not know, but he proceeds to make up a wild "yawp" about it, nevertheless; and he drifts next to the subject of death, and says it is as lucky to die as to be born, and he knows it. For one, I don't believe he knows anything of the kind. He says:

> "I am not an earth, nor an adjunct of an earth;
> I am the mate and companion of people, all just as
> Immortal and fathomless as myself;
> (They do not know how immortal, but I know)."

Nor is he a comet, a meteor, or a ring of Saturn. "They do not know how immortal they are, but I know," is evidently regarded

by him as a valuable bit of confidence. The plebeian mind, however, will wonder how there can be degrees of immortality. We could just as well ask how long a man would live if he lived forever.

Now follows another jungle of people and things, which he says are for him; but he omits to say why they are "for him," and what he intends doing with them. Let us catalogue them in regular order: Male and female, boys, those that love women, the proud man, the sweetheart, the old maid, mothers, mothers of mothers, lips, eyes, children, the baby, the youngster, the red-faced girl, the suicide, the corpse, the blab of the pave, tires of carts, sluff of boot-soles, talk of promenaders, omnibus, driver, sleighs, clank of horses, jokes, snow-balls, hurrahs, the mob's fury, flap of litter, a sick man, meeting of enemies, oaths, blows, a fall, crowd, policeman, stones, groans, exclamations, speech, arrests, slights, assignations, rejections, etc. The writer gives us here a bare enumeration of living beings, inanimate objects, abstractions, that have no bearing on each other, obey no sequence, and teach no lesson. An inroad into Mitchell's geography would be far more significant and useful. As a description of a street scene it is lame, hueless, and unnatural.

The bard's next transition is to the country; but he fails to give us any connecting links to show whence he went, why he went, or whither he went, though he does not fail to tell us what he did when he got there. He did exactly what one would expect him to do, after one has read the "Song of Myself" up to this point. Instead of acting as a rational man, he "jumps from the cross-beams of the wagon, seizes the clover and timothy, and rolls head over heels and tangles his hair full of wisps." This kind of individual would jump out of a third-story window, instead of contenting himself with viewing the prospect through it. He is next hunting out in the wilds; then he is at sea; then at a clambake; then at the marriage of a trapper and an Indian girl. A runaway slave comes to his house and sits next to him at his table. This episode fixes his attention for a moment, and his mind wanders again, and he sees twenty-eight young men bathing by the shore—

> "Twenty-eight young men, and all so friendly:
> Twenty-eight years of womanly life, and all so lonesome."

In the next paragraph the poet says:

"She owns the fine house by the rise of the bank;
She hides, handsome and richly drest, aft the blinds of the window.
Which of the young men does she like the best?
Ah, the homeliest of them is beautiful to her.
Where are you off to, lady? for I see you;
You splash in the water there, yet stay stock still in your room.
Dancing and laughing along the beach came the twenty-ninth bather;
The rest did not see her, but she saw them and loved them.
The beards of the young men glistened with wet, it ran from their long hair:
Little streams pass'd all over their bodies.
An unseen hand also pass'd over their bodies;
It descended tremblingly from their temples and ribs."

Who they are, what they have to do with the poem, how they could lead twenty-eight years of "womanly" life, what difference it makes whether they were so friendly and so lonesome or not, how they could be so lonesome if there were twenty-eight of them, and how they could be so friendly if they were all lonesome, are a few of the riddles suggesting themselves to the mind of the unbeliever in reading this passage. It has been suggested to me that the paragraph is intended as a picture of twenty-eight women who are lonesome because deprived of the society of twenty-eight men who are accustomed to associate together to the neglect of the women; but the phrase "twenty-eight years of womanly life" is hardly synonymous with "twenty-eight women." And who is this mysterious "she," and what is she doing? Is she engaged in the unmaidenly act of watching the men bathe? If there is any suggestiveness here except the suggestiveness of an unclean mind, it is not apparent.

By this time the reader is in a positive whirl; but the poet continues to exhibit his wax-works, and introduces the butcher-boy, the blacksmith, and possibly the baker and the candlestick maker. He next sees a negro driving a dray, and from him he goes by the usual degrees to the wild gander leading his flock. A little further on, "the pure contralto sings in the organ loft," and "the carpenter dresses his plank." Another convulsion seizes the writer at this juncture, and he gives us a catalogue of all sorts of people and professions. He jumps from a steam-boat to a ball, from one of the seasons to one of the States. At one time he is in Missouri, and at another in a street-car. There is no telling where he will alight next.

It would not be profitable to carry the analysis further. It is evident that the "Song of Myself" leads nowhither, and that it is the unsystematic, unpruned expression of a very peculiar mind. A few more quotations may be pardoned, as showing to what extremes language can go. For instance, this abrupt paragraph:

> "Who goes there? hankering, gross, mystical, nude;
> How is it I extract strength from the beef I eat?"

It is, of course, impossible for the reader to say who goes there. Possibly he doesn't care. As for the second question, that may be respectfully referred to the physiologist, who can answer it to any man's satisfaction. One fails to see what the bard is hankering after, and why he is nude. The connection between his being mystical and his eating beef is also a mystery, from which he has not lifted the veil. Again he says:

> "I do not snivel that snivel the world over,
> That months are vacuums, and the ground but wallow and filth."

In one place he says, "I know that I am deathless," and in another declares himself a materialist. He speaks of the sea as the "howler and scooper of storms." He finds the scent of the armpits "aroma finer than prayer." These quotations might be strung out endlessly, but they would afford merely cumulative proof of the rankest kind of rebellion against common sense. It is not to be denied that at times the reader detects the gleam of the diamond in this mass of rubbish. The poet has evidently thought and read of many things, but his comments convey a hint of indigestion. When one finishes reading the "Song of Myself," it is impossible for him to give a rational review of what it is, and what it is intended to teach. It is a failure, because the writer has neglected that very art which he professes to despise. The word "art," which is as wide in its significance as the heavens, has often been degraded by careless thinkers into a synonym of form, when it is in reality the execution of truth. Thought is never valuable unless it is clear and comprehensible. An obscure thought is hueless, tasteless, and devoid of nourishment. If Mr. Whitman's thinking is obscure, it is not worth the preserving. On the other hand, his thoughts may be true and clear, but he may lack fitting expression, just as a man may have a perfect conception

of harmony and have no voice for song. It is in giving adequate, tangible expression to clean, valuable thinking, that the writer or poet justifies himself. He should have something to tell, and he should tell it. Unless he can do so, he has no business posing as a poet. Shakespeare found the English language and the established modes of composition spacious enough for his transcendent genius. Cicero, Virgil, and Horace were not trammeled by the polished completeness of Latin. Dante could express all his thoughts in artistic Italian, while Goethe and Schiller never thought of rebelling against the rules of German grammar and the accepted modes of composition. The man who has a story to build will never fail for want of verbal tools; if he falters, it will be because he knows not how to use them. If he has a message to deliver, wings are convenient; but he must know how to fly with them. We have a right to insist that a definite subject or story shall be selected, and that it shall be developed artistically, and in such a way as to be grasped. When Wagner, the musical revolutionist, set about the consummation of his theories, every musician understood perfectly what his theories were, though many angrily doubted and denied that music could respond to the call he made upon it. In all his labor there were system, consecutiveness, and art; otherwise, he would have failed. Has Mr. Whitman enunciated an intelligible theory? He speaks vaguely about poetry being written under the influence of our democratic institutions. Well and good. Now, Dame Columbia may insist on free thought and free speech; but she is not maudlin, nor incoherent. Her head is clear, her mien self-reliant, her actions brisk and animated, her perception acute, and her imagination warm and glowing. There is nothing confused or aimless about her. A literature in accord with democracy would partake of these attributes. If Mr. Whitman desires an original American literature, his plea is praiseworthy. The material for a literature that will do honor to the English tongue is to be found in this country, and the mine is now being worked. I feel no hesitation in saying that the spirit of Mr. Whitman's poetry is the contrary of the democratic spirit, because it is deficient in clearness, in consistency, in art, and in common sense. At first blush there may seem to be a kinship of liberty; but the liberty of democracy is the highest evolutionary step in the struggle for the rights of man, while the liberty of Walt Whitman's poetry is license of thought

and anarchy of expression. Most people take pride in conquering the thoughts which he takes a riotous glee in giving vent to.

The thinking man of to-day finds himself beset with incrowding problems, and the mission of literature should be to relieve him from the depressing sense of the infinities. In no way can cheer be flashed into his darkened, perplexed mind except by preserving as a holy thing his faith in the unseen and spiritual, by keeping a line perpetually drawn between the just and the unjust, by placing what is good aloft in conspicuous splendor and sending evil to the gloomy shadows below; by preserving the ideals of purity and "sweetness and light"; by fixing virtue on a lasting pedestal and dethroning vice from its seat in the hearts of men. The man who obscures these valuable results of moral teaching, who leaves a doubt in the mind as to whether good is preferable to evil, who exalts the flesh — that incubus upon the loftiest dreams of purity — and calls the soul the body, can hardly be considered as bringing with him a message that we are bound either to receive or to respect.

WALKER KENNEDY.

EXPERT TESTIMONY.

THE assumption that an expert, when called upon to stand in the witness-box and give judge and jury the benefit of his peculiar knowledge, is entitled to more than the ordinary witness-fee—to the same pay that he would receive for imparting the same information to a private person or firm, for commercial purposes—rests, it seems to me, upon an entirely erroneous conception as to his status in court. It supposes him to be there as an employé; like, for instance, a carpenter who might be called in to mend a broken bench, if an alderman were suddenly elevated to a judgeship, and who would demand and receive the ruling rate per diem for carpenter work. Instead of being there as an employé of the court, the expert should be there as a subject of taxation, and entitled to no pay at all, save the usual witness-fee, which, properly speaking, is not pay.

When a business man, whose time may be worth fifty dollars a day, is called to testify as a witness or sit as a juror, it is nonsense to speak of the trifle which he receives as pay. It is not pay, and is not intended to be. The whole matter of compulsory service of jurors and attendance of witnesses rests upon the theory that it is for the furtherance of justice and the good of the community, and therefore the government has a right to claim it without pay. It is a species of tax, which falls now here and now there, as circumstances or lot may determine, and it behooves every good citizen to meet it cheerfully, for to-morrow his townsmen may be called upon to pay the same tax on his account.

No species of taxation has ever been devised, and probably none ever can be, which is absolutely equitable in its working; and this is as nearly so as some others—as nearly so as the circumstances will permit. When we have an income-tax, it is assumed that every prosperous person is able to part with a

certain percentage of his income, for the benefit of the government. But incomes below a certain amount are exempted, because the exaction of the tax from these would work hardship. The income-tax law passed by Congress twenty years ago assumed that every citizen who was in receipt of more than six hundred dollars a year could afford to give five per cent. of the excess for the support of the government and payment of the public debt, and that those who were in receipt of less than six hundred dollars could not afford to contribute anything at all.

On precisely the same principle, it is assumed that a prosperous man can afford to go into court now and then, when circumstances make it necessary, and spend an hour or a day in furthering the ends of justice. But we may have to call in a man so poor that the loss of a day, or even an hour, from his usual occupation, would work hardship. In his case, the fee is equivalent to a remission of the tax. The fees are not intended as pay for the prosperous, but only as protection for the poor.

The analogy to the income-tax fails in one respect. The tax for service in court is liable to fall frequently and heavily upon some, and lightly, or not at all, upon others. In this respect it is like the blood-tax of war. When the government encounters difficulties that can only be solved by the shedding of blood, the equitable thing would be to sacrifice a finger of each man in the country. But as this is impracticable, the government, when volunteers are wanting, resorts to conscription, selecting men by lot, with the knowledge that some will be killed, others will have limbs shot off, others will be scarred and crippled for life, and still others will escape all casualties and perhaps win rank and fame. When it musters these conscripts, it does not say to a book-keeper, You have been receiving a salary of two hundred dollars a month, therefore your pay as a soldier shall be two hundred dollars a month; to an engraver, You have been earning thirty dollars a week, therefore your pay shall be thirty dollars a week; to a plumber, You have received four dollars a day, therefore you shall still receive four dollars a day;—and so on, through the list. Instead of this, it assumes that when the country is in peril, each citizen can afford to spend a few weeks, or months, in its service; and the more he earns at his business, the more he can afford (in precisely that ratio) to be taxed. But in the case of a poor man, whose family cannot spare his earnings for even a day, this would work hardship; so a uniform

rate of pay is fixed, which is just about equal to the wages of a day-laborer. In other words, to the day-laborer the tax is remitted. The same principle is observed when property constituting the tools of a man's trade is exempted from taxation, and when a gold watch is taxed and a silver one exempted.

So if a millionaire and a hod-carrier should both be witnesses to a matter that became the subject of litigation, both would be called into court. Their testimony might occupy time that to the hod-carrier was worth half a dollar, and to the millionaire a thousand dollars; and each would receive fifty cents. It is a mistake to suppose they have been paid. They have been taxed *pro rata* according to the value of their time; but to the hod-carrier the tax has been remitted. The same is true of the men in the jury-box. One may be a journeyman blacksmith whose wages are two dollars a day, and another a man whose business will suffer three hundred dollars for every day that he sits as a juryman. Yet each receives two dollars a day, and no more. An incidental advantage of this system is, that such fees are too small ever to act as a bribe.

But of late years, a new kind of witness — the expert — has risen to prominence, who holds himself to be a professional employé when called into court, and entitled to pay accordingly. And this claim has been allowed, with the result that might have been expected. We can call a business or professional man into court, put him into the box as an ordinary witness, use up a hundred dollars' worth of his time, and give him fifty cents; but if in the same case the ends of justice require that an expert stand in the same box and contribute a hundred dollars' worth of his knowledge, he wants a hundred dollars for it. I fail to discover any fact or principle on which the distinction can be based. Indeed, if there is any argument at all for a distinction, it lies the other way; for time thus used up can never be recovered, but knowledge thus imparted still remains with him who imparted it. A physician who follows the code in refusing to patent an invention, on the ground that it should be contributed to the cause of humanity, contradicts himself when he goes into court as a witness and demands pay for a professional opinion.

That the expert is paid by the side which calls him, and not by the court, does not make the matter any better, but rather worse. It at once raises the presumption that the side having

the more money will pay the higher price for expert testimony; and thus the practice establishes a standing bribe. Whether it is for this reason, or because the honest opinions of experts in critical cases are untrustworthy, it is not necessary to say; but one or the other of these theories must be called in, to account for the fact that, in almost every case where expert testimony is introduced, the experts are called by both sides and swear point blank against each other. Expert testimony ought to rank high among the influences that determine verdicts; but, under the present system, its actual net result is almost nothing. With its continuance, the courts must soon be called upon to determine a line marking the boundary where ordinary testimony ends and expert testimony begins; and this it will be found exceedingly difficult to do. Suppose, for instance, a cause were on trial whose merits were mainly to be determined by the facts of a runaway; and suppose a man who had seen it were called to the stand and asked whether the driver exhibited skill or the want of it, whether the team was vicious or not — in short, whether the disaster was the fault of the driver or of the team. And suppose he should answer: "I have been accustomed to horses all my life; I have made their character and their management a study; I am an expert on that subject; and if the court wants my testimony, deriving its value from long years of experience and observation, it should pay me as an expert." Wherein would his claim differ from that of the alienist, the chemist, and the chirographer? But if it were admitted, where would the line of experts end?

If I have shown that the calling of experts as of other witnesses finds, for every essential feature, an analogy in some recognized species of taxation, it follows that they should be reduced to the standing of other witnesses, or the whole taxation plan should be abolished, and all witnesses and jurors should be paid the true value of their time. This might be theoretically the more equitable as regards the individuals immediately concerned; but, besides being impracticable, it would, in a larger sense, work injustice by making justice too dear. It is infinitely more important that true verdicts be attainable at reasonable cost, than that men called as witnesses and jurors be relieved of the burden of this casual tax. Indeed, the great difficulty with the law courts now is, not that many verdicts are false, but that a litigant who may prove to be clearly in the right, can only obtain

his vindication or his dues at enormous expense. Franklin's whistle was a most excellent whistle — there was no fault to be found with it as such, and to a boy a whistle was desirable; but it cost too much. If a man seeking his rights in court had to pay not only his lawyers, but all his witnesses, as experts are paid, we should soon come round again to the days when the son of Pethuel exclaimed: "That which the canker-worm hath left, hath the caterpillar eaten!"

If we could get rid of the idea that an expert in court is an employé; if we could treat him on the principle that the court which has a right to tax one man's time for the ends of justice, has precisely the same right to tax another man's knowledge; if we could make all payment for expert testimony punishable as bribery,—we might then feel certain that all such testimony was honest, or at least that it was liable only to be impaired by the unavoidable elements of professional pride and jealousy. And if after that it continued to cancel itself by its contradictions, its use might be done away with. How much the value of expert testimony may be diminished by the consideration that the expert is called upon mainly for opinions, while the ordinary witness is rigidly confined to facts, can perhaps only be determined by experience, after the disturbing elements which I have been discussing are cleared away. It is desirable that every cause of suspicion against the expert be removed; for some men's opinions are worth more than other men's facts.

ROSSITER JOHNSON.

How shall we improve the character of medical expert testimony? Some advise dispensing with experts altogether; others, conscious that law, staggering beneath the weight of its precedents, may still learn something from science, hold the remedy to be, not the abolition of the expert, but a reduction in the scale of his compensation. The value of a man's time exempts neither from jury duty nor from testifying as a common witness. An income-tax and military service, admitted to be hardships to individuals, afford an argument from analogy for refusing any special compensation for expert testimony. If the state can tax her citizens unequally, cannot justice do as much with her experts?

"Wrest once the law to your authority;
To do a great right, do a little wrong."

The argument, good for demanding the services, is weak for withholding the pay. It seems to me that those who advocate refusing the expert his fee in order to improve his testimony, which may be properly denominated the cheese-paring method of justice, have overlooked their strongest argument and most striking analogy, which is found in the fact that the world has always starved its geniuses to heighten their brilliancy.

That the lawyer, accustomed to say with Pistol,

> "Why, then the world's mine oyster,
> Which I with sword will open,"

should think that the same even-handed justice which presents a shell to each litigant and the oyster to himself would require the professional man to come into court, compel him to testify to hypothetical scientific absurdities propounded by the lawyers, and dismiss him after some days' detention with nothing for his services, is not singular, for if recent decisions have confirmed the truth of the adage that the venerable goddess is blind, it is not strange that her votaries should be myopic. The argument, that justice does not take into account the value of a man's time when she calls him as a witness; that banker and hod-carrier are alike liable to be summoned, and receive the same fee, and that therefore the compensation of the expert witness should be the same — just as the laborers in the vineyard received every man his penny — is fallacious, and founded on an ambiguous use of the word "witness." The medical man is as liable to be summoned to testify to some fact coming under his own observation as the banker or hod-carrier, and for this should receive the same fee. But in what sense is the expert who explains to the court the meaning of certain scientific facts a witness? Does the interpreter who translates the testimony of a Spaniard in one of our courts become a witness in the ordinary sense, simply because he is sworn to speak the truth in translating? He is properly an employé of the court that calls him, a sworn official and paid as such. Sworn interpreter of science to the court—that is the position which the medical expert occupies. To illustrate: stained garments are placed in his hands to decide the significance of those stains by scientific tests. His chemical reagents show them to be blood-stains. But to leave the matter here might be to utter a falsehood in the name of science. He examines with the

microscope and testifies that the size and shape of the corpuscles prove it to be the blood of a fish or reptile; that it cannot be the blood of a mammalian. He does not connect those garments with the prisoner, has nothing to do with the relation of that blood to the guilt or innocence of the accused; by scientific processes he interprets for the court the nature of those discolorations. As a witness he has added not a single fact to the record, but simply made legible what was written in blood on that clothing — a legend which, left unread, might have proved for the prisoner as damning and difficult of removal as the spot on Lady Macbeth's hand.

To say that the expert may misinterpret the characters of his science does not affect the argument. Physicians are called as medical experts because, by reason of their studies and experience, they are deemed best fitted to translate to the jury the language of disease, and when employed as sworn interpreters they should receive such compensation for their services as the court deems just and reasonable. This is the only tenable view. If the court may call a physician from his practice, not because the facts of the case are matters of his personal knowledge, but because the medical questions involved are of his every-day experience, and, after a hard trial on the witness stand, may dismiss him with the penny of the ordinary witness, what shall prevent the judge from calling the same expert to-morrow, occupying his day and dismissing as before? Indeed, since he happens to be a physician of wide practice, thoroughly informed in his profession, and now quite at home as a witness, why may not the court pay him the compliment of a summons the next day, and the next — in short, keep him pretty constantly in attendance as a handy man whose testimony is "strictly first-class and offered at a tremendous sacrifice"? Well might that physician, at the end of the term, looking at his pennies, say with the Preacher, "As it happeneth to the fool, so it happeneth even to me; and why was I then more wise?"

What does the lawyer see in the medical expert? A person privileged to substitute opinions for facts, and therefore valuable. *Amicus curiæ* professedly, though called by opposing counsel rather than by the judge; answering alternately yes and no to contradictory hypothetical questions, ingeniously based on selected facts in the testimony; and so, with a show of science falsely so called, leaving the jury more befogged than ever. If

this is a fair view of the medical expert of our time, well may justice exclaim, *Non tali auxilio . . . tempus eget.*

True, science asks a different definition from this, and from such judgment, indignant, takes an appeal.

Amidst the multitudinous babble of men, words spoken at the end of the journey of life impress us, sometimes simply because they are the last, now and then because in those words the mind, closing its tablets on going elsewhere, sums up its life record. The late Dr. Wilbur, of Syracuse, N. Y., a vigorous thinker and able writer on topics of social science, was a leading expert in his specialty. Only a few hours before his death, his mind being then in full vigor and all unconscious of the falling shadow, he penned these words: "Expert testimony should be the colorless light of science brought to bear upon any case where it is summoned. It should be impartial, unprejudiced. There should be no half truths uttered, and suppression of the whole truth is in the nature of false testimony."

I have nowhere found, in concise form, a better statement of what expert testimony should be than in those words. The colorless light undistorted by the medium is what we want. The expert medical witness should be *amicus curiæ*, interpreting to court and jury the relation of medical science to the case. He does not determine the truth of the testimony, but shows to the jury the scientific value they must give to those statements if they believe them to be facts; their value in medicine, not in law, for there the judge asks no advice, and the witness is not competent. The expert must be a thorough master of his science; should be one in whom the judge has confidence, and wholly impartial. To insure this he should be called by the court, and not in the interest of either party. To a true expert in that independent, responsible position the utterance of half truths, or the suppression of any portion of the truth, should be simply impossible.

In this way, I think, and not by reducing the expert to the position of the ordinary witness, may we elevate his testimony. Such an expert, standing in judicial impartiality, would trample under his feet all motives of expediency, all mere personal considerations, and so make medical expert testimony harmonious with science and respected in court beyond the discordant voices of to-day. And yet I believe that there are medical experts, even now, who have stood for science in the furnace blast

of the breath of popular indignation and have not felt the heat; men who, in the line of professional integrity, would not swerve one hair's breadth from their convictions of right, even though they walked over hot plowshares in following truth.

W. W. GODDING.

THE writer has frequently been called upon to testify as an expert in suits at law. In most of them mechanical patents were the subjects of controversy. During this experience one conclusion has been reached, and has become more and more firmly established. It is that the course now followed, of calling experts to testify on both sides of a case, is an admirable method of reaching the truth as regards the scientific aspects of the question at issue.

Mr. Johnson attacks the present system of retaining experts. His argument is that, as they testify under oath as witnesses in court, they should be subject to all the laws affecting witnesses. He thinks that they should be subject to subpœna and should receive no special compensation for devoting their time to elucidating the scientific aspects of a case. He declares himself unable to draw a distinction between the position occupied by an expert and that occupied by an ordinary witness. There is, however, a radical difference between the two.

Ordinary witnesses are summoned to disclose facts that have come within their knowledge or observation in every-day life. The expert is called upon as *amicus curiæ* to give the court the benefit of recondite knowledge acquired by years of study. To make such knowlege of use in any given case, the facts and questions at issue have to be studied. The expert's testimony is the result of his professional information applied to the case after special study of it. It is clear that he is doing professional work in giving such testimony and is entitled to the compensation usually allowed for such work. Comparing the expert with the carpenter, it follows that if the expert were liable to subpœna in his professional capacity, then too the carpenter should be. The court would have the same right to force the one to give out his professional knowledge as to compel the other to repair its broken benches.

The expert witness and the business man who is compelled to give his time to the service of justice stand on distinct footings.

The merchant knows personally of some ordinary facts that must be disclosed by him personally for the furtherance of the ends of justice. It may, and probably will, be only once in his life that he has to do it. His loss of fifty dollars' worth of time will represent his life's contribution to this part of his country's service. In the case of the expert the necessity of personal service disappears, because he is one of a limited class, any member of which is available. The merchant represents no class, but appears as a citizen. His testimony is only of value in the one suit. The poorest laborer is as competent a witness when his turn comes. The expert is one of a small number of specialists whose services are of value in a large number of suits. His position in this class has been won by the study of a special science, a special art, or a special branch of knowledge. If he were compelled to give his knowledge for the benefit of any suitor, there would be danger that his time would be entirely devoted to giving testimony. In the lecture room a scientist who has won distinction can obtain a fee of from one hundred dollars upward for a lecture of an hour's duration. Nothing more ruinous to so unfortunately gifted an individual could be conceived than a liability to compulsory service in his capacity as a master of professional knowledge. Under such a condition of things his only way of avoiding perpetual unrecompensed work in the courts would be to conceal his acquirements. A most burdensome tax would be laid upon scientific workers. This is an emphatic *reductio ad absurdum* of the proposition.

The comparison between service in war and service as witness is a just one, as far as ordinary witnesses are concerned, for the tax falls upon the whole community at random. In the case of experts the comparison fails. To make them liable to compulsory service as expert witnesses would cause a discrimination against them in the distribution of the witness tax. They would be repeatedly called upon. Their position would be like that which would be occupied by members of athletic clubs, were proficiency in gymnastics to render a man more liable to conscription.

The course followed in taking expert testimony is consistent. If the suit is one to restrain infringement of a patent, the complainant sues upon his patent. The expert has the patent put in his hands; its validity holds good until the court pronounces against it. The *prima facie* testimony refers to the pat-

ent as it stands with only a general reference to the state of the art. It is defined and explained from this point of view, and the infringement under this broad interpretation of the patent is pointed out. In this testimony the patent, from the circumstances of the case, is at its strongest, as it is unattacked and its scope not closely limited. The defendant's expert follows in the answering proofs, giving his testimony against the infringement. He collates all the limiting or anticipating devices and patents that have been produced by the defense. His view of the case in the light of all this evidence is then given. This view inevitably differs from that of the complainant's expert, as additional references are considered in it. He limits the claims of the patentee by showing in what respects they are invalid, and points out how the views of the first expert are affected by the new matter. The complainant's expert later testifies in rebuttal. He analyzes the opposing testimony, examines and limits or disproves the applicability of the citations and references contained in it, and gives his final view of the case. Both witnesses are subject to a rigid cross-examination. They have but one duty to perform. It is to tell a strictly truthful story in their direct examination. They then are prepared for the cross-examination with all its imaginary terrors.

It rarely happens that a case at law is so clear as to have only one side. Lawyers are repeatedly asked by what rule they feel at liberty to take up either side of a suit indifferently. It as seldom happens in scientific questions affecting patents as in legal ones that one side has all the right. In the latter case as in the former both parties are entitled to representation. No fairer way could be devised than the present method of giving the opposite views through the testimony of sworn experts. In not one case out of a hundred that goes on the complainant's part beyond the *prima facie* plea, or in which the defendant takes answering proofs, can an expert affirm positively that there is nothing to be said on the opposite side.

Human justice and its methods are not exempt from error. The perfect court would be the tribunal of the arbitrator. But the same imperfections of human nature that cause disputes make the cumbrous machinery of the courts necessary for their settlement. Each side of the case is presented by a hired advocate, and it would be as sensible to subpœna lawyers to serve as counsel, as to force experts to study cases and testify concerning the

results of their study on the demand of any interested party. The lawyer and the expert, working together, conduct searches, study the patent and the alleged infringement, and frame a consistent theory of offense or defense. The expert is expected to give as witness a straightforward statement of the case, and to sustain it on cross-examination. If before beginning his testimony he finds that he cannot conscientiously testify in favor of the side retaining him, it is his duty to withdraw. But the subject of patents is so complicated that this will seldom happen. The expert, of course, should hold himself above direct advocacy. If he does so, his standing will be higher in the eyes of lawyers and judges; experience has shown that experts of high personal character win the highest regard of both. Repeated decisions of the courts, in which expert testimony is quoted and made the basis of decisions, show how favorably they regard it. These facts are the best commentary on the excellence of the system.

T. O'Conor Sloane.

The Doctor in the witness-box: this is a phenomenon of the present century; not exactly one of the great land-marks of civilization, but a minor sign of the times, and an evidence that science is expanding and human affairs becoming more complex. The evolution of the medical expert has accompanied especially the immense progress that has been made in the study of mental diseases, in toxicology, and in the building of railroads.

George III. made insanity respectable, Pinel made it tolerable to bear. Before their time insanity was thought to be a horrible and degrading possession, and its victims were treated with brutality and ignorance; naturally, therefore, no one was admitted to be suffering from it who could possibly be thought sane. But during the present century, the view that insanity is a disease of the brain, and that insane people are sick people, has been gradually extending, until now the question of a man's sanity is raised the moment he does anything that is eccentric, disappointing, or criminal. The sentimental cry of Rousseau, that all bad men are only men with peculiar but natural instincts, finds its echo in the saying of Dr. Holmes, that all bad men should be treated as sick men, and in the conclusions of Professor Benedict, who asserts that criminals simply constitute an interesting though disturbing anthropological species.

Nothing need be said to illustrate the well-known fact that chemistry can now detect, with almost absolute certainty, the poisons which are given to destroy life, and that crime may be checkmated or avenged by the investigations of the toxicologist. Nor is it surprising that railroads, with their wealth and the inevitable percentage of accidents, should have developed a special medical literature, and a special class of medical experts. But, although science has now woven itself into every detail of human affairs, it is a notable fact that the evidence of experts in medical sciences has continually lost ground, until to-day its inconsequential nature, and meager value in helping the ends of justice, are universally acknowledged. One naturally looks for the cause. When a man of business is about to initiate some new project, he calls in the best advisers possible, gets from them facts and opinions, and makes his decision accordingly. But when a court of justice wishes light upon intricate and difficult points, it follows no such common-sense procedure. It calls in two antagonistic sets of advisers concerning none of whom it has any assurance of special skill. The first set urges one view, the other set its opposite. The lawyers try to prove that both groups of advisers know nothing at all about the matter. In fine, the court accepts any one as an expert, and trusts that cross-questioning will show that he is an ignoramus, if he really is such. Now, since there is no certainty that real experts have been called upon either side, or that the lawyers will prove non-expertness if it exists, or that the witnesses will not testify for the side which calls them, justice truly has a meager chance. It is very plain from this, that in the matter of medical expert testimony it is the mode of procedure which is at fault, and not the doctors, who, however, generally get all the blame.

The law in this country presumes that every physician is an expert in insanity and in surgical and medical cases. It even accepts the opinions of medical students, unlicensed practitioners, nurses, and midwives. Everything from these sources, say our learned judges, is relevant, and they trust to the cross-examination to show its real importance. There are many reasons for believing that this practice in law is an unwise one, especially in our country. The medical profession in America, from whom experts are thus drawn, is a body of extremely mixed character, and is, as a whole, much more irresponsible, ignorant, and untrained than that of any other of the great

nations. The country is full of small medical colleges, where boys and men of the most deficient education, after practically about two years of study, are graduated and licensed. The States, as a rule, require no evidence of character or special fitness in those who are to undertake the care of human lives, or are to be summoned officially as the advisers of justice. Medical jurisprudence is scarcely taught at all, and the chances are, if any doctor is called to the witness-stand, that he brings with him not only the prejudices of a defective education, but great ignorance of legal procedure.

Yet this is only the worse side of the American doctor. In practical skill, after he has made up for deficient education by experimental studies upon his earlier patients, he equals his European brethren. He is progressive, observant, earnest and remarkably apt in the medical art. Besides — and this is a fact which helps to solve the difficulty regarding medical testimony — there are now among American physicians plenty of gentlemen who take the highest rank in scientific medicine, men whose opinions upon surgery, medicine, insanity, and toxicology are as valuable as any that could be got in Europe. Why should courts, therefore, accept the ignoramus if they can get the expert?

I am aware that the judges themselves are hardly to blame because they admit any one upon the witness-stand who has a *prima facie* right to be thought an expert. They cannot easily decide as to who are competent, although, with the memory of the Schœppe and Wharton cases still before us, it may be suggested that they have not always done all that was possible. But aside from this, our judges who condemn so severely the medical expert are themselves not entirely above criticism. Scientific men, in whatever branch, are accustomed to test conclusions by submitting them to the critical opinion of the specialists in their science. Text-books represent the general consensus of opinion upon these special sciences. Yet in cases of poisoning, a single presuming chemist can emit an opinion totally at variance with the received authorities of the world, and the opposing side cannot in the least impair his testimony by quoting standard works against him. Here certainly judicial decisions cripple the genuine expert and furnish a loop-hole for the guilty to escape. And our learned and critical judges have not lacked wisdom in this respect alone. So far as insanity is

concerned, the decisions of the bench have placed the medical expert in a false position, and one in which it is almost impossible that he should be a helpful adviser and friend of the court.

If a man commits a crime and pleads insanity, the law tries to prove that he was or was not "conscious at the time of his act, of its nature and consequences." Upon this knowledge as to whether the act was right or wrong depends, according to most judicial decisions, the question of sanity and responsibility. But medical men are now taught, and alienists universally affirm, that this question of right or wrong is not the material one, and that the real issue is, Was the act the result of brain-disease affecting the mind? The doctor may, therefore, be compelled to give testimony which he knows is entirely irrelevant. He wishes to prove one thing, the lawyer another. Insanity trials will never be satisfactorily conducted until this anomalous state of things is changed. The legal test of insanity is a false one. Though enunciated in the nineteenth century, it is really a mediævalism. It has the whole weight of an undivided scientific opinion against it, and it must go.

Yet it may be proper to say that the alienist's test of responsibility, which is now being urged as a substitute for the present legal one, is not the one, I think, which will be accepted by the courts of the future. "Is a man insane? Then he is irresponsible and should not be punished," is a formula to which medical jurists may bow, but not those who look from a wider stand-point upon human affairs. The term "insanity" has become extremely comprehensive. It includes the victims of degenerated brains, the tainted products of unhealthy ancestors, as well as those suffering from disease. It would, indeed, surprise our medical fathers to see how glibly, and correctly too, the modern alienist pronounces his patients insane. Now, when a man commits a crime and is pronounced insane, the technical question of responsibility should not follow, but rather that of treatment. Do the best interests of society demand his punishment, or simply therapeutic applications? Shall he be hanged or imprisoned, or ought he only to be committed to an asylum and given aloes and cod-liver oil? In criminal insanity trials there should thus be the question as to mental disease, which is a medical one, and the question of treatment, which is a sociological one.

A word finally as to remedies. It hardly seems necessary to say that the non-payment of experts would accomplish no reform.

If the courts do not pay for experts, they will not get them; nor has government a right to take gratis from a man that special skill by which he gets his living.

Our political system would hardly tolerate the inquisitorial methods adopted in France and Germany, by which the whole question is referred to a Board of Experts, who report without being subjected to cross-questioning. Americans do not like to have matters settled so perfunctorily, and the peculiarities of our political institutions make it doubtful whether competent Boards of Governmental Experts could be secured. There should be, however, in each State a certain considerable number of medical men whose reputation, experience, and skill would entitle them to be called upon as experts. They should be called to give their evidence by the court, and not by the opposing counsel.

CHARLES L. DANA.

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